

## MINUTES

### PLANNING COMMITTEE

April 1, 2015

A meeting of the Planning Committee of the County of Kaua'i, State of Hawai'i, was called to order by Mason K. Chock, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, April 1, 2015, at 9:16 a.m., after which the following members answered the call of the roll:

Honorable Gary L. Hooser  
Honorable Ross Kagawa  
Honorable Arryl Kaneshiro  
Honorable KipuKai Kualī'i  
Honorable Mason K. Chock  
Honorable JoAnn A. Yukimura, Ex-Officio Member  
Honorable Mel Rapozo, Ex-Officio Member

There being no objections, Bill No. 2577 and Bill No. 2578 were taken out of order.

Bill No. 2577      A BILL FOR AN ORDINANCE AMENDING ZONING CONDITION IN ORDINANCE NO. PM-31-79, AND ORDINANCE NO. PM-2009-391 RELATING TO ZONING DESIGNATION IN PO'IPU, KAUA'I (*John Horwitz, Peter Baldwin, Matthew B. Guard, and George Robinson, Successor Co-Trustees of the Eric A. Knudsen Trust under Deed of Trust dated April 30, 1922, Applicants*) **(This item was Deferred.)**

Bill No. 2578      A BILL FOR AN ORDINANCE AMENDING ZONING CONDITION IN ORDINANCE NO. PM-2001-354, RELATING TO ZONING DESIGNATION IN PO'IPU, KAUA'I (*John Horwitz, Peter Baldwin, Matthew B. Guard, and George Robinson, Successor Co-Trustees of the Eric A. Knudsen Trust under Deed of Trust dated April 30, 1922, Applicants*) **(This item was Deferred.)**

Councilmember Kagawa moved for approval of Bills Nos. 2577 and 2578, seconded by Councilmember Kualī'i.

Councilmember Kagawa:              Can Max address my questions?

Committee Chair Chock:              And if we have additional questions, we can talk to our Director of Planning as well.

There being no objections, the rules were suspended.

MAX W.J. GRAHAM, Belles Graham Proudfoot Wilson & Chun, LLP: Good morning Planning Committee Members, and Chair Chock, thank you very much. I want to thank you for deferring this matter to give me an opportunity to speak to you about this request. I am Max Graham and I represent the Eric A. Knudsen Trust. The Trust is the owner of the property in Po'ipū. I will do a brief overview. This is

Po'ipū Road. A blue line that goes up on the map is Hapa Road or Hapa Trail. To the west of Hapa Trail, is our projects that have been approved...that are part of the original Moana Corporation zoning amendments. To the east of Hapa Trail is property owned by the Knudsen Trust, so that is all this property that goes up here. The area outlined in pink is the area that was initially part of the original 1979 Moana Ordinance. All of these areas are located in the State Land Use Commission Urban District. All the areas up here are still located in the State Land Use Commission Agriculture District, and this is the eastern bypass – Ala Kinoiki Road. Between the Knudsen Trust lands and the eastern bypass, you have Weliweli Tract and all these properties zoned by the State of Hawai'i. The reason for this request is because the Knudsen Trust has a fifty (50) lot subdivision that is located right here. When the subdivision was approved, it was proposed that the subdivision consistent with the requirements of the Moana Ordinances would connect to Kiahuna Plantation Drive, which is over here. Kiahuna Plantation Drive comes on to Po'ipū Road right down here next to the shopping center. After the approval of the subdivision, Mr. Ted Blake filed some lawsuits concerning the subdivision and the proposal to bring vehicular traffic across Hapa Trail. As a result, the Knudsen Trust is proposing instead of coming across Hapa Trail, to bring a new road which would start here on the east side of Hapa Trail, connect it to the subdivision, bring it across these two lots which are also owned by the Knudsen Trust and the beneficiaries of the former Augustus Knudsen Trust, anyway, bring the road right here connect to Po'ipū Road. That way there is no need to cross Hapa Trail. In order to do this we need to amend these Moana Ordinances because the Moana Ordinances contemplated that everybody would connect to Kiahuna Plantation Drive and they contain restrictions on direct access to Po'ipū Road. We need to amend it to allow this point of direct access to Po'ipū Road and that is in essence the summary of what is being requested. Hapa Road/Hapa Trail is a land court lot that goes from Po'ipū Road all the way up to here, and then connects to Weliweli Road. Hapa Trail – there is a driveway that comes right on here that is located partially on the Hapa Road lot and then from here all the way up outlined in blue, Hapa Trail is an unimproved trail and then you get up to here and you are at the Catholic Church and the road is actually paved and maintained, it looks like by the County, so people up here use the road for access. Hapa Road/Hapa Trail was granted to the Territory of Hawai'i by the Knudsen Trust. At one point, I think it was in 1991, the land board chairperson contacted the County to say that by operation of the highway statute the County owned Hapa Road and the County actually passed an ordinance accepting Hapa Road but no deed was ever conveyed to the County and because it is a land court lot and registered in the land court, the title is not perfected unless there is an actual deed registered in land court which has never been done so actually the road is still owned, this entire lot that goes from Po'ipū Road all the way up to Weliweli Road is still owned by the State of Hawai'i. That is the basic summary of what is being requested.

Councilmember Kagawa: Tessie folks mentioned that in the old subdivision plan, there was a drainage engineering study or what have you, and they said that it was updated and I was wondering if that update would be provided to them.

Mr. Graham: I told them that I would provide it and I have not been able to get it yet, so I will do that. At one point the Knudsen Trust propose to put these upper lands into the State Land Use Commission Urban District and actually filed an application with the State Land Use Commission and prepared an environmental impact statement (EIS), eventually that proposal was withdrawn, but that EIS contains various drainage studies which talk about the drainage from all of these properties down through Po'ipū Road. Since that project was never completed,

those drainage studies are not consistent with what has been done on the ground. When the subdivision was approved, there was a drainage study, all the drainage improvements have been constructed, and the County requires all drainage to remain within the site itself. Over here where the road is, we are in the process of getting a grading permit and again the drainage would be to be contained in this area as well. This area here drains to the west. I think the concern is the drainage escaping across the street down over here to the restoration project, but as far as I know, the drainage facilities for the subdivision are sufficient to keep everything on the property so that there would not be a problem with drainage but I am happy to provide those drainage studies.

Councilmember Kagawa: Thank you, Max.

Committee Chair Chock: You will be providing us a copy as well.

Mr. Graham: Absolutely.

Committee Chair Chock: Any further questions of Mr. Graham or our  
Director of Planning at this time?

Councilmember Kagawa: I have another one.

Committee Chair Chock: Okay.

Councilmember Kagawa: This is basically a solution because the old plans wanted to connect to Kiahuna Plantation Road and because of land court or what have you, you cannot cross up a trail – you are just running it on the east side of Hapa Trail?

Mr. Graham: Yes. And the provision in the ordinance, we actually have been working with Mr. Blake and his attorney on this. We have language in the ordinance that says the proposed new road has to be at least thirty (30) feet away from the Hapa Trail lot line and we have to survey and make sure that that is the case.

Councilmember Kagawa: Make sure it is thirty (30) feet away from the  
Trail?

Mr. Graham: Yes.

Councilmember Kagawa: And was there an alternate road besides that  
one?

Mr. Graham: In the original proposal to the State Land Use Commission for this whole project, there were interior roads here and one of the interior roads came over and was proposed to come out here.

Councilmember Kagawa: Okay.

Mr. Graham: But that was really part of the original proposal that was withdrawn, so it is no longer a consideration.

Councilmember Kagawa: Thank you.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Max, thank you for a very clear explanation. The Moana restriction on ingress and egress of roads on to Po'ipū Road was to prevent the situation we have in Kapa'a on the main highway where you have ingress and egress from individual properties and it makes for a very slow traffic flow along the main highway. If we approve this, on Po'ipū Road there is going to be that Kiahuna Road and there are still a lot of ingresses and egresses on the *makai* side of Po'ipū Road, right?

Mr. Graham: Yes.

Councilmember Yukimura: But on the *mauka* side there is none except...

Mr. Graham: There is one here.

Councilmember Yukimura: That is Sheraton – does that go into the Sheraton?

Mr. Graham: No, that is the subdivision. So, there is one that comes on to the road here from *mauka*.

Councilmember Yukimura: That is a fairly new one.

Mr. Graham: That is Po'ipū Beach Estates, it has been there.

Councilmember Yukimura: Okay.

Mr. Graham: So, they have direct access over here, and then you have everyone else that uses this property that comes through Kiahuna Plantation Drive, and gets the access here, and then there will be this proposed access right here, and then Weliweli comes down here.

Councilmember Yukimura: Okay.

Mr. Graham: That is fairly controlled.

Councilmember Yukimura: Yes, and then there is a driveway, you said, on the west side of Hapa Trail.

Mr. Graham: There is a driveway that exist right now but basically, that driveway use will no longer be used, instead the access will be through the new road.

Councilmember Yukimura: Oh, and without breaching Hapa Trail?

Mr. Graham: There is the driveway that comes in, goes across Hapa Trail right here. It goes across there in the portion of the property between Po'ipū Road and where the Hapa Trail signage where the Hapa Trail starts, it actually still part of that lot, but there is an existing driveway and the proposed bill says that that driveway may be used for five (5) more years to allow access because right now there is a little shop here called Kimo's that has beach accessories and they

need that – that is the only access into that area. That is only temporary for five (5) years and then a solution has to be reached.

Councilmember Yukimura: Okay. It makes a lot of sense if you can somehow...yes, close that driveway and move it to align with the new road that would come out on the east side of Hapa Trail...on that road that you are now proposing.

Mr. Graham: Yes.

Councilmember Yukimura: I want to express appreciation to the Knudsen Estate for pulling back the old plans and not running a major road across Hapa Trail. I think that is an improvement and I appreciate all the work that has gone into that.

Mr. Graham: You are welcome.

Councilmember Yukimura: I may have some questions for the Director of Planning after this. Thank you, Max.

Mr. Graham: You are welcome.

Committee Chair Rapozo: Further questions?

Councilmember Rapozo: I just have one (1). I think you answered most of it with the last question from Councilmember Yukimura, but TMK (tax map key), the shopping center land lots 26 and 30 – which are those? Is that on the map?

Mr. Graham: Here is the existing shopping center and then if you see right here there are two (2) lots.

Councilmember Rapozo: Right.

Mr. Graham: That was the proposed new shopping center area, never constructed.

Councilmember Rapozo: Okay. So in Section 2 of Bill No. 2578 where you reference the shopping center land identified as TMK, I am only using the last three (3) digits – 026 and 030, which is those two (2) lots.

Mr. Graham: That is these two (2) lots, yes.

Councilmember Rapozo: Okay. Got it, thank you.

Committee Chair Chock: Any other questions? If not, thank you so much for the presentation. Can we have the Director of Planning up? Good morning, Director Dahilig. Questions? Councilmember Yukimura.

Councilmember Yukimura: Good morning.

MICHAEL A. DAHILIG, Director of Planning: Good morning.

Councilmember Yukimura: I guess I wanted to ask if this proposal is consistent with the County's plans for traffic circulation in Po'ipū?

Mr. Dahilig: This particular amendment was circulated to the Engineering Division of the Department of Public Works and they gave it a clean bill of health before it came before the Planning Commission.

Councilmember Yukimura: Okay, but I am asking about transportation planning, so I do not see it as an engineering issue as much as I see it as a planning issue. Kudos to the Department of Planning for the first community plan that is going to have a land use and a transportation plan.

Mr. Dahilig: Correct.

Councilmember Yukimura: And I know the plan is making its way through us right now but I am assuming that you are still working by some planning principles in this area?

Mr. Dahilig: I guess I would answer it this way, if we are asking what is the general transportation objectives concerning what is going on with the land use as it interacts with Po'ipū Road, those are questions that are currently before the Council in another bill with respect to adoption of the South Kaua'i Plan. All I can say at this point is that the South Kaua'i Plan did entertain some type of development on these parcels consistent with what the zoning is in this area and how that was folded into the mix is the recommendations that are before the Council at this point.

Councilmember Yukimura: So, if we passed this it would not be inconsistent with the pending South Kaua'i Community Plan?

Mr. Dahilig: Not to my belief.

Councilmember Yukimura: Okay. Thank you very much.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: Some of the concerns about the drainage that is brought up, we have experienced some of that...like with the Kukui'ula and then we had the problems raised by the church that they said that they were getting more water than they used to because of the drainage. If I heard right, it is the engineering side that would address potential problems that could be prevented?

Mr. Dahilig: Consistent with what Max mentioned before the Council just previously, any hardening activities have to be reviewed by the Engineering Division, Department of Public Works. Their plans for this were circulated to them and they did review this with respect to the sizing of the detention basins and these types of measures to retain water rather than having water freely flow due to hardening. They have given again this clean bill of health with respect to that.

Councilmember Kagawa: Thank you.

Committee Chair Chock: Any further questions of the Director of Planning? If not, thank you. Since the rules are suspended, I would like to ask if anyone from the public would like to testify on this item.

TESSIE KINNEMAN: Good morning Committee Chair Chock, Council Chair Rapozo, and Councilmembers. What you have before you that I passed out is what the community has to go with. This is State Land Use District Boundary Amendment application. Although I know a lot of work went into this road realignment, but I do believe that, the road should be located across from the Waiohai/Marriott's driveway. That way you can create, a four-way stop or a small traffic circle and that may eliminate parking problems along that corner there. As I understand it from way back when the Po'ipū Beach Hotel was going to be rebuilt, there was a Memorandum of Agreement (MOA) or understanding between the Po'ipū Beach Hotel, I do not know what it is called now but...the Marriott would provide parking for employees. Something happened between the agreement and I think Planning or someone needs to look into that because they are not helping their employees by having them park outside on the main Po'ipū Road. That is where all that traffic is from. If they are not willing to fix their agreements, maybe they should have their occupancy permit suspended temporarily. Something has to be done with that corner. I truly believe that road should connect straight across the Marriott, straight across the way on the portion of R-10 condominiums are located, if you look on page 2. You will see on page 8, I have outlined where I think it would be more feasible in red on the last page, where the road should go instead of parallel to Hapa Trail. Hapa Trail, they will need to do a ground survey and they would disturb the ground...I am sorry not Hapa Trail, but their proposed roadway would do a lot of ground disturbance whereas at R-10 lot...

Committee Chair Chock: I have to stop you. Does anyone else want to testify on this item? Okay. I am going to have to ask you to vacate the seat. That was a fast three (3) minutes, but we do have a question, so let us vet the questions that we have now, and then...

MATT BERNABE: I can wait.

Committee Chair Chock: We are going to ask the questions, and then she can come back to complete her questions. Councilmember Kagawa.

Councilmember Kagawa: To expedite for you, I will wait for her second three (3) minutes, and then I will ask my questions.

Committee Chair Chock: Okay. Thank you.

Councilmember Yukimura: I would like to ask a question because I think it may enable to say what she wants to say.

Committee Chair Chock: Go ahead.

Councilmember Yukimura: Tessie, thank you for being here. I just want to understand exactly what you are proposing and if we can have the...I think it is aerial photograph, which is...

Councilmember Kagawa: Councilmember Yukimura, I have her putting up page 8 because it shows in red where she wants...

Councilmember Yukimura: Okay, maybe you can ask your questions now on that one, and then I can ask mine.

Councilmember Kagawa: Okay.

Councilmember Yukimura: But I think it might clarify what she wants to say, so let us give it a try.

Committee Chair Chock: Go ahead, Councilmember Kagawa.

Councilmember Kagawa: Tessie, your concerns about the proposed road running adjacent to Hapa Road is because of...you are thinking that they will have trouble with burial...

Ms. Kinneman: That and just the lava itself...because they are going to be jackhammering that area...

Councilmember Kagawa: Disturbing area that you would rather see undisturbed.

Ms. Kinneman: Yes.

Councilmember Kagawa: So your proposed road right there is in red.

Ms. Kinneman: Yes. See the Waiohai/Marriott ingress and egress, the *makai* side, where the circle is.

Councilmember Kagawa: Yes.

Ms. Kinneman: That line coming from *makai* and go across towards the tennis courts way, slightly to the east, because that R-10 lot is so compacted and it has been used as...previously when the Waiohai was rebuilt as a storage for equipment for nursery and it is very compacted already. At least it has already been disturbed, so that way...I mean it is pretty much solid, I would think. That way, it would eliminate the parking on the corners there. Hapa Trail, as I understood it, would be another evacuation exit.

Councilmember Kagawa: So basically, Tessie, your proposed better option runs adjacent to the tennis club.

Ms. Kinneman: Yes, and it could be ten (10) feet from the tennis club.

Councilmember Kagawa: Okay, thank you.

Councilmember Yukimura: I think I was looking at this map, which was from Mr. Graham's handout just to understand where you wanted to have the exit of the road from the Knudsen Estate development. Where you have the red circle is the entrance to the Waiohai Hotel, is that right?

Ms. Kinneman: Yes, right there. Then it would hook up to go across the parallel road up here.

Councilmember Yukimura: Okay.

Ms. Kinneman: And then another exit when they do get through everything, another exit for this subdivision supposedly through Weliweli

Tract, of course you would have to breach the historic wall but most of the rocks are pretty much gone there anyway.

Councilmember Yukimura: And you are suggesting a roundabout?

Ms. Kinneman: Not a big one but just a rural roundabout. As I understand the federal standards, you can go as small as fifty (50) foot circumference, or you could do a four-way stop, either or. The speed limit there are twenty-five miles per hour (25mph) anyway but people do not go twenty-five miles per hour (25mph).

Councilmember Yukimura: So what you are saying is that it would move the proposed...in the present zoning bills before us, it would move the proposed entrance more to the right or more to the east is what you are saying.

Ms. Kinneman: Way far to the east.

Councilmember Yukimura: Right, okay.

Ms. Kinneman: Because see their proposal is right here, right?

Councilmember Yukimura: We had a parking workshop in Po'ipū, I think you were there, with Jim Charlier. We agreed that we were probably not going to solve the problem by just increasing parking supply but we had to look at reducing parking demand, which is why we are looking at a shuttle that would bring people in so that they do not have to bring their cars in. Do you think we can solve the problem just by making more parking available?

Ms. Kinneman: One way you could...for new developments just provide no parking lots, parking except for employees that way everybody who comes into the visitor area would have to hop on the bus or taxi. Parking is parking. People are going to park wherever they want and it is difficult to gage how many parking stalls employees will need although there is a standard in a project.

Councilmember Yukimura: One of our goals is to have a transit system from the west side and from areas where workers are living so that they could come very easily into the Po'ipū area at convenient times that match their work schedules. Which then means they would not need as much employee parking but the transit system would serve everybody. I mean it would not just be for employees or just visitors.

Ms. Kinneman: Well the bus system runs every fifteen (15) minutes on O'ahu...

Committee Chair Chock: I want to get us to a question about the easement.

Councilmember Yukimura: Can I just have her answer this, what did you say about Oamo?

Ms. Kinneman: Oamo?

Councilmember Yukimura: You said the bus...

Ms. Kinneman: I lived on O'ahu.

Councilmember Yukimura: Oh, O'ahu, I am sorry.

Ms. Kinneman: And I used to ride their bus a lot and it was there every fifteen (15) minutes.

Councilmember Yukimura: So, it was workable.

Ms. Kinneman: It was workable for me but anytime of the day, it is not only for people that have to go to and from work, it is for the everyday person that does not want to drive their car.

Councilmember Yukimura: That is at least my goal in the shuttle system and I am hoping that the Planners from the shuttle system are really conscious of this, is that it is going to come about ten (10) or fifteen (15) minutes in order to be usable. I am only asking this Tessie because I do not know if we are going to be able to solve our parking problems with just a configuration of roads and parking. It is sort of an impossible task if you leave out the transit piece. Thank you.

Ms. Kinneman: May I continue?

Committee Chair Chock: You are going to have to come back for the other three (3) minutes.

Councilmember Yukimura: Yes, we did not get to what you wanted to say.

Committee Chair Chock: I am sorry, I know you have more to share.

Ms. Kinneman: No problem.

Committee Chair Chock: Mr. Bernabe.

Mr. Bernabe: Good morning. I just wanted to support this project because I have heard testimony from the resident's from that region about the traffic problems and if somebody is going to pick up the tab or even if it is partial "picking up the tab" I am not sure what they are doing, but if a company or trust is willing to work with the County on a traffic issue...I hear what the sister is saying but my question to her would be, "who owns that land and now we have to go and tell the Marriott and Waiohai that they have to take care of this road." I do not know the particulars of that but I am pretty sure that in this day in age that if they have the good faith to reroute it instead of going across this trail and make it parallel, that is good faith, I would call that. I do not have much to say because I am from Kapa'a. I am somebody that knows bad traffic and we have to deal with our own traffic. I would love somebody to help make a plan in their zone but let us help Kapa'a too. Thank you.

Committee Chair Chock: Would anyone else like to testify on this item? Seeing none, could we have Tessie back for her last three (3) minutes? Thank you.

Ms. Kinneman: The property across the street is (inaudible), the Marriott is also Knudsen Trust lands. They would need to work it upon themselves. That is my issue on the roadway alignment. To me, it is important that

we have another evacuation route and that has...at least the Kōloa Community Association way back in the 1980s, the reason why they want the trail like that is that it is used as another evacuation route going *mauka*. The other pages that I have for you are the drainage plans and just because they dropped their SLUDBA application does not mean they will come back in the future. The Kōloa Community Association back in the 1980s wanted the Hapa Trail to be an evacuation route. If the proposed road alignment goes through, these people will have a hard time coming down this road and turning up this way. This way they can come out this way or go that right. That is why I think it is important for the road to be across from the Marriott/Waiohai and align these on to the R-10 lot property. The rest of the pages are the drainage plans that I have submitted from their SLUDBA. It would be nice to see what their new engineering plans are because from what I have...this area right here, which is the cultural amphitheater, this was supposed to be the main retention basin, which is directly across of Kaneioulouma Heiau Complex. I do not know what else to say. Another thing I have for this Bill No. 2577, the direct access roads are tax maps 05 or 021 or 026, so they have three (3) options.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: Tessie, when you talk about an evacuation route, are you envisioning it as a vehicular evacuation route?

Ms. Kinneman: Yes. It is the only time vehicles should be on that trail.

Councilmember Yukimura: The basin that you just pointed out.

Ms. Kinneman: This one?

Councilmember Yukimura: Is that in the present plans? You do not know, okay. But you said it was also going to dovetail as amphitheater.

Ms. Kinneman: No, it is a cultural amphitheater at the moment.

Councilmember Yukimura: It is a cultural amphitheater.

Ms. Kinneman: Yes. It is a tiered amphitheater...the seating is tiered. I do not know what it looks like today but that would be their main retention basin in this plan. Although here between these two (2) buildings here, that is the Kiahuna portion on the Waiohai side, there is a huge drainage here. When there are heavy rains, I have noticed that it has really been pouring out. I do not know where the drainage is coming from.

Councilmember Yukimura: Okay. Thank you that is very valuable information. Do you know who owns the tennis club and spa?

Ms. Kinneman: If I am not mistaken it is still Knudsen Trust land, I do not know who owns the business there because some new people took over.

Councilmember Yukimura: Is it part of a resort like Kiahuna or Marriott or is it just a standalone tennis club and spa?

Ms. Kinneman: It is leased from the Trust.

Councilmember Yukimura: Okay.

Ms. Kinneman: Or Kiahuna homeowners, one or the other.

Councilmember Yukimura: Thank you very much.

Ms. Kinneman: You are welcome.

Councilmember Yukimura: I would like...

Committee Chair Chock: Did you have a question for Tessie? Tessie, we have more questions for you. I did not realize.

Councilmember Kualii: Thank you for all you shared and the work that you have done. Has anyone from our Department of Planning, whether it be with community meetings or what have you, have heard your ideas and suggestions? Are they just hearing it for the first time today?

Ms. Kinneman: They are probably hearing it for the first time today but way back when Donald Fujimoto was the County Engineer, I talked to him about it, but things move along.

Councilmember Kualii: Thank you.

Committee Chair Chock: Thank you for your testimony. I know that there have been some questions regarding drainage in the past but I want to make sure that we can move this forward. If we need more work on it, then so be it. We have the Lihu'e Community Plan that we need to get to, so let us move towards that direction.

Councilmember Kaneshiro: Hearing Tessie's testimony, I just have a few questions for the Director of Planning that might be able to clear me up and make me more comfortable to move forward.

Committee Chair Chock: I think others have questions for him also. Can we have the Director of Planning up?

Councilmember Kaneshiro: Mike, we see the big plan which has a lot of development but I guess my question is, for the current development, is that road solution that they are proposing now sufficient for the size of the development that is going on now?

Mr. Dahilig: What is being proposed right now in terms of that connection, it is utilizing an existing connection that already accesses Po'ipū Road and has been already engineered as such. That particular access was identified to accommodate the phase one (1) which is essentially the same name as the lots that are currently subdivided of the development as part of the EIS that was developed ten (10) years ago. The traffic impact analysis report did look at a various myriad of options concerning connections to Po'ipū Road but as it related specifically to phase one (1) or this particular one, it identified the access as being the existing access that is being used by the tennis courts as well as Kimo's which is that small shop that is right over there. In updating the information whether or not that assertion in the TIR that was done as part of the EIS about ten (10) years ago, whether or not that is

still valid or not, my recollection is that Michael Moule at the Engineering Division asked him to update the TIR based off of that presumption. Their conclusion was that phase one again is most appropriate, if they were to put it at this site, it would be most appropriate because you are not creating an additional access to the property. To answer some of the questions concerning what Ms. Kinnaman brought up with realigning the access on the other side, I have texted Lee Steinmetz to see if I could get some information from the Po'ipū Road charrette that was done about a year and a half ago and about what was the communities markups concerning that area and that is information that I can definitely get to the Councilmembers. I know that what Ms. Kinnaman's proposal has been is not new to the Planning Department, we have heard it before, and we have studied it. There are a number of legal issues that would also interplay with why the access is being proposed, where it is, and those I would probably want to refer over to the County Attorney's Office, if those answers need to be given as well. Long story short, just to answer your question, the Engineering studies have been done to confirm that this is an appropriate access and where it is located does not create an additional access on Po'ipū Road.

Councilmember Kaneshiro: Okay. Then I think you kind of touched on my second question. My second question was going to be, I understand why Tessie want to put the road there because it is going to connect with the Marriott on the opposite side, but for me the concern is that that would add another access on the road, compared to putting a road on an existing one. As the plan starts to develop, say they start adding more units in this plan, I guess, her option and other options like the Po'ipū connection is going to be looked at in the future as I guess the capacity of the area starts to get larger then they will start to look at other things that they will need to do which could be Tessie's road or that Po'ipū connection although that connection that goes to Po'ipū Beach Park might be the solution.

Mr. Dahilig: It is hard to say at this point given that we only have phase one of the project on the table. Whether or not they are choosing to move forward with the other phases of the project, the indication right now in front of the Planning Department is that there is no such desire to move forward with phases beyond what is phase one, but again I cannot speak for them. I would presume and if that were to come in under my tenure as Planning Director, I would probably again as like the situation with phase one ask that this be reviewed by the Engineering Division whether or not the presumptions made as part of the 2000 some odd EIS are still appropriate for vehicular access and have the Engineering Division update the traffic studies, where the ingress and egress points are if more development should be proposed on the property. That would be the procedure to follow. I cannot say it is or is not a possibility but we have the procedure to evaluate it should additional development be proposed by the developer at this time.

Councilmember Kaneshiro: I guess to make my questions simpler, as they come up with proposals to develop more they are going to continue to look at the traffic and eventually they may say that that road is not sufficient for the amount of units in there and will start look at other options which may be Tessie's road or...

Mr. Dahilig: I believe so. As of this time this access is only meant for phase one.

Councilmember Kaneshiro: Has an archeological study done for the road that they are proposing because Tessie mentioned that it may impact certain things if they construct the road.

Mr. Dahilig: My recollection is an AIS (archaeological inventory study) was conduct as part of the EIS documents that were produced for the master plan for the project.

Councilmember Kaneshiro: Thank you.

Committee Chair Chock: Councilmember Yukimura, do you have a question?

Councilmember Yukimura: Yes. I thought that we would do these land use plans so that we have...does the South Kaua'i Plan envision any development of the Knudsen properties beyond what this particular bill holds?

Mr. Dahilig: There is some anticipated development, what that is characterized as, I would have to refer back to the documents. It is definitely not been earmarked for what I would characterized as anything more than what is entitled to at this point.

Councilmember Yukimura: I mean I do not think it is a good way to plan our transportation system on a case-by-case docket-by-docket situation – while this road for now but maybe later another road. In the South Kaua'i Plan hopefully we have envisioned what will be developed over the next twenty (20) years and the transportation system, roads, multimodal is going to be capable of handling the traffic at build out. What is the vision for the Po'ipū Road and what is the best alignments and road ingress and egresses? My question is first of all with the proposed...the road out lit into Po'ipū Road from the Knudsen property as proposed in the bill, is that eliminating an ingress or egress and adding an ingress or egress or substituting.

Mr. Dahilig: Again, because this is a bit of a tangled issue as it relates to some of the lawsuits that have been filed concerning crossing Hapa Road. What this aims to do is to provide an alternative access to the already subdivided lots as part of phase one that does not traverse Hapa Road. This particular access is being proposed back in 2004, I have to get the year right, but the previous EIS, and this was a study as an alternative in the Environmental Impact Statement. This was not an access that has not have been disclosed or not reviewed prior to this proposal. This was meant to again address that alternative access at this point.

Councilmember Yukimura: There is a lot of sense in putting the out lit for this road that the Knudsen Estate wants across from an existing entryway at the Marriott, to me, or at the Hoowili Road, right. We try to make these alignments so that we do not have these offsets ins and outs. Would we not satisfy the legal requirements by putting the offset across the Waiohai entrance?

Mr. Dahilig: It is a valid proposal. Again, I am trying to get information at this point from the charrette's as to what the community's vision for Po'ipū Road actually says. I believe a lot of that was already folded into the South Kaua'i Plan. Why do you have two (2) bills in front of you is also to address the concerns that the Commission had at the time concerning shutting down Kimo's. The Commission did raise concerns about whether or not moving or closing off any type of access, and that is why you see these amendments, whether that would shut a business down effectively because there is no ability to access it. This five (5) year transition period is what is also envisioned as part of the package to allow status quo for that business to be able to maintain its operations and provide a plan and transition out of that area. There are more than just one (1) use of this particular

access presently and so rather than create duly accesses, the proposal that was brought to us was consolidating them all in one while being able to address the issues concerning traversing over Hapa Road.

Councilmember Yukimura: However, the situation with the existing business can still remain the same. That he has access for another five (5) years from his existing access and then he has to figure out another solution.

Committee Chair Chock: Let us get to a question here.

Councilmember Yukimura: Right?

Committee Chair Chock: If there are more that you want to have sent over then we can do that separately.

Mr. Dahilig: That in effect is a policy proposal in front of the Council at this point. I do not want to diminish the validity of what Ms. Kinnaman is saying but I believe given the previous TIRs and the previous studies that have been conducted with this as well as the disclosure concerning phase one, with all those elements lead up to this consolidation of the access at this point, to be proposed.

Councilmember Yukimura: How would the bills proposal differ in terms of the long-term results to the business if you were to put the entryway along with Waiohai? What would be the difference in impact?

Mr. Dahilig: To the business?

Councilmember Yukimura: Yes, long-term.

Mr. Dahilig: Well the long-term affect to Kimo's, that business, is that if you were to move the access and again understand that the access is also layered with the approvals given for the tennis courts and the club that is there. In effect, if we were to try to consolidate the accesses to the eastern portion of that property we would have to open up the zoning permits as well as change the zoning ordinance to do so. It is not something that unilaterally can be done by a zoning ordinance in it of itself. Say for example that was the case, if we did not consolidate the access, now you have two (2) ingress and egress points off Po'ipū Road. That may not be advantageous with respect to how the Engineering Division tries to minimize the amount of ingress and egress points from an artery. I cannot speak for them but know that that may be a concern for them. The second thing is if those consolidation points were meant to move it to the eastern portion, we would have to go back and actually, through the commission process amend the permits for the club. That has to go through the due process element and has to show due cause and go through the contested case hearing on that. It is not to say that it is not possible but it is more than just a movement in the zoning ordinance that would be able to facilitate something like that.

Councilmember Yukimura: Thank you for explaining the process constraints. I want to know the outcome restraints. In five (5) years this business has to figure out another access because the existing proposal will not be giving him access, that is what I understood, am I misunderstanding?

Mr. Dahilig: The basis for that essentially the current access to that traverse is Hapa Road. The concern is, is there enough time to try to transition that business so that Hapa Trail can be restored fully all the way down to an intersection with Po'ipū at this point.

Councilmember Yukimura: So his long-term solution is either to move to the other side or something else. There is no fixed long-term solution from the proposal before us. It gives him transition time.

Mr. Dahilig: It give him transition time because the policy proposal with respect to that five year period is to allow him to move so that the trail can be restored all the way down to the intersection of Po'ipū.

Councilmember Yukimura: Okay, right, so what is the difference if you put the road to match Waiohai's entry and exit and he still has five years to transition to another solution?

Mr. Dahilig: I would allude previously again to my comment with respect to...again, I am not the Engineering Division. They are in charge of the management of Po'ipū Road. They may have concerns during that five year period – two (2) ingress and egress points along Po'ipū Road rather than consolidating them in one. Again, I cannot speak for them, but I would suspect that they would entertain if they were given the question.

Councilmember Yukimura: Okay, so now the issue is down to a five-year period impact versus the long-term impacts that we are trying to figure...

Committee Chair Chock: Can I inject for a minute?

Councilmember Yukimura: I am finish.

Committee Chair Chock: I get where you want to go with this and I can support it, but I am not sure I can support it right here on the floor for the next two (2) hours.

Councilmember Yukimura: Right.

Committee Chair Chock: We have a consultant from O'ahu that is here for the next item, and if there needs to be more work done on this, then that is what we should do. We should get the questions that you are asking vetted. If you are done with that, I want to hear from the Committee about where they are with this. There is more work that can be done until we get it to Council, so thank you.

The meeting was called back to order, and proceeded as follows:

Committee Chair Chock: Councilmember Hooser.

Councilmember Hooser: I appreciate the questions and the discussion, it is about as clear as mud to me as to what our best options are, and I do not want to make a decision under these circumstances. Can we ask the Planning Department to come back to think about all the discussion that we had today and give us some clear direction on this is the best option long-term or not rather than...what I seem to be hearing is, we can do this or that – it is up to you folks. That is not the kind of direction that I want.

Committee Chair Chock:

Councilmember Kagawa.

Councilmember Kagawa: My gut feeling about the Po'ipū area, having grown up on the west side and lived, surfed, fished in those areas, and I do not want to see anymore development. I want to say no to any development but it is really not being realistic. We have people that have permits from before that...and I do not feel that it is my call to voice that opinion just because my gut feelings says that I do not want to see any more development there. This is a solution to a problem that was raised by Mr. Blake and I do not see Planning agreeing with the alternate solution proposed. That alternate solution being proposed is split. For a lot of us it does makes sense, it seems to hit the middle of the subdivision but it is not what the applicant wants to do. They would like to use the existing road, because I guess it is easier. They feel like they have already been using it and they are avoiding the conflict with having to cross Hapa Trail. I think at this point for me, I do not see Planning willing to change. They already basically told us that they have given the approvals, Engineering has looked at that road, they determined traffic wise that it is the best solution at this point. All I can do is ask that Planning and Engineering continue to listen to the local people. What I do not want to see or reflect on years from now is seeing a whole bunch of problems with traffic in that area, with the water all of a sudden, as we develop becoming more brown, and we have seen that happened. Any time you develop an area that is already overdeveloped, you see those problems. Basically, I am not an engineer or planner, and I am kind of relying on the advice of our experts that have put in the time and due diligence. All I can do at this point is support it with some reservations but I want the Planning Department and the Engineering Division to continue to work with the local people. They are not doing it because they have an agenda. What Tessie is proposing is for the future. She feels like they put in the time way before and determined that they should have that front access, the back access, and it is to allow traffic to flow for emergencies. Listen to the locals concerns in all instances because all they care about is if we are going to develop, let us do it the best possible way that we can so that we can minimize the impact of our lifestyle. Again, I do not see Planning or the developer jumping at this new proposal and I do not want to hold it back when I know that the Planning Department and the Engineering Division is not going to change their mind on this. They have done the due diligence. I am going to be supporting it with some reservations. I am going to ask that the Engineering Division and the Planning Department just continue as we develop these areas that are over developed already and listen to the locals, listen to the brothers, and sisters who put in a lot of their volunteer time trying to help us make better decisions. I will be supporting it today.

Committee Chair Chock:

Councilmember Kaneshiro.

Councilmember Kaneshiro: I had a lot of my questions answered and I understand the sensitivity of the area as far as archeological goes and I got that question answered. For me it is looking at what is the least impactful. I understand what Tessie was saying about adding the road but for me I think adding another road only adds another ingress/egress which I am not sure if the engineers would agree or not but I would think it would cause more traffic problems because you are adding another road going on to the main road. I am comfortable voting on it today. I am not sure if the other members want to defer it to get a little more comfortable but as far as I go, I know the main concerns with the Kōloa area is drainage, traffic, and the sensitivity of the archeological sites. If they have done the drainage study, if they had the traffic impact analysis, and they have done their archeological study, for that role then I am comfortable with it. I am willing to move forward. I am not sure if the

two (2) ordinances need to go together regarding the five-year commercial property Kimo's and his solution but I think as far as the road goes, I am comfortable with it. If the holdup is what is the solution for this person needing five years to find a solution to get out, I do not know if they want to split it out and try and vet that a little more but if it needs to go together, again, I can support it today. I am ready to vote on it.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: I am not a voting member of this Committee but I strongly feel that if our goal is to do it in the best possible way, then we need to defer it. Deferring is not saying no. It is important to defer in order to pursue the best solution or to make sure that what is before us is the best solution. If we do not want to see more traffic or problems in the future as Councilmember Kagawa is saying then we need to do the work. The way to do the work is to defer and get the work done before we approve any solution. It may turn out that the proposed solution is the best but I think there have been enough questions raised and enough questions not answered, very clearly, that that suggests we should really check out the proposal that Tessie is suggesting and get the proper information and then if it all shows that the proposal is the best way then we should move forward with it.

Committee Chair Chock: Thank you.

Councilmember Yukimura: But we should take the time to do it right.

Committee Chair Chock: Councilmember Kualii.

Councilmember Kualii: I would like more time as far as a deferral, if that is reasonable. I do not know what kind of deadlines are in place. My earlier question about, is the Planning Department hearing about this for the first time today to Ms. Kinnaman and it seems like there should be more consideration at least and I do not know why not, and to also hear a little more feedback from the community, people from Hapa Trail. I know that this is responding to the need to not cross Hapa Trail and so that is one solution that the developer is agreeable to doing but it is not necessarily the only solution. With the South Kaua'i Community Plan, I am curious to see how it fits in with that and to hear further from the Planning Department. What she has put forward does make the best sense in the long run because it seems like with lawsuits and what have you, we are moving and that is kind of reactionary but now with the South Kaua'i Plan and all the great work that is being done by the Planning Department, that is more visionary and utilizing the community. I just want to hear a little bit more of where the community is on this and may be it means I need to just go back and look at the minutes from the Planning Committee. If it is not time sensitive and we can defer for a little bit, I will be supportive of a deferral.

Committee Chair Chock: Thank you. Council Chair Rapozo, did you have something to add too?

Councilmember Rapozo: I am just curious to hear from Max. Number one we have to make sure that it is doable, feasible, and legally if we can actually require that. That is why we are here today for – the Committee. I would ask if we could get Max back up and get his perspective on it. I would like to hear from the Planning Department...that is why we are here today. The fact that we hear some new information today let us get the answers today while we are here. I am not a

Committee member so that is your call, but while we are here, we have the resources in the room, let us get as much as we can before we defer.

Committee Chair Chock: This is what I would like to do, there is enough questions that are materializing around from the Committee members and non-Committee members, and there is more work that needs to be done. I do not want to spend too much more time on it. I am willing to have them come back up, Mr. Graham, time sensitivity, yes or no, should we continue to look at it? Are there other possibilities? In addition to that I think we need to get some more specific details back in writing about the drainage on a broader level, the feasibility of what is being proposed by the community, and there was also legal implications that were being talked about that I think could be shared with us. Can we make sure we can get those things? I was ready to move this out today. It is hard when these things come up and when you are ready to move forward but I understand that that is what this is about – you folks coming up and sharing. Mr. Graham, could you please come up and if we could spend not more than ten (10) more minutes, I just want to get some direction here, and then this is going to have to continue.

Mr. Graham: Okay, let us see if I can help clarify and then if you need to defer, we can look into particular issues. If I can get the map up there, my first map. This is only a fifty (50) lot subdivision and we are trying to get access to this fifty (50) lot subdivision. We are not trying to solve all of the transportation issues for this entire area. This fifty (50) lot subdivision is not going to have any impact on parking problems along Po'ipū Road because these people park in their own parking garages and homes. This proposed road is in existence, this is the driveway that comes into the Po'ipū Beach Athletic Club and it is operated by the Knudsen Trust and the Augustus Knudsen Trust. These two (2) properties here are owned by the Knudsen Trust and the Augustus Knudsen Trust heirs, and the subdivision in this lot over here is owned only by the Knudsen Trust so whatever we do across this property we need the Augustus Knudsen Trust heir's permission. They have a little bit different interest in this property than we do in the subdivision property. Because this is an existing driveway, the least impact on this entire area is putting the new road right along the driveway alignment. It is already paved. In terms of impacts on Hapa Trail, there will be no impacts on Hapa Trail because we are going to put it right along the existing pavement except when we get down here where we will actually move it away from Hapa Trail. In terms of archeological preservation, this is the best solution. The Knudsen Trust went through about seven (7) scenarios of aligning the roads from the subdivision. We looked at over here, we looked at bringing the road over here, we had the proposal to go over here, we looked at coming over here, we looked at possibly trying to align with the Marriott entrance, and it was just very difficult physically to do that. Over here, you have the existing drainage facilities for the subdivision and then in this entire area there are archeological sites. This is a more sensitive area than this paved driveway. When we looked at everything the best solution was let us just bring it along the existing driveway, which would have the least impacts. We did an update on the traffic impact assessment report that had been done initially for the entire proposed project. We did an update and the update concluded that it would not negatively affect traffic along Po'ipū Road at this intersection at least to a significant...it would not have a significant impact along this area right here. We have looked at it all and it just seems like this was the solution that would have the least impact and would be easiest to accomplish and would serve the...remember now this is being driven by the desire to keep traffic off Hapa Trail. That is the solution and that to us the overriding goal, we want to keep traffic off Hapa Trail. If some time in the future the County acquires title to Hapa Trail and if some time in the future the County decides that

you want to make this actually a vehicular access emergency road which was an idea that was floating around some years back, I am not sure that that is consistent with keeping Hapa Trail as a pedestrian bike trail, but if the County ever acquires Hapa Road and wants to consider that, it still makes sense to have a driveway here. You can still connect with the new road here for access on to Po'ipū Road. If you look at the subdivision road it connect actually connects all the way through here. It is a connection all the way through and over here there is no connection through the subdivision if you brought the road here you will get this road and then you would have to go up here to get into the back area. To answer the questions concerning the overall assessment of future traffic issues for this property, I actually do not see that in the South Kaua'i Plan and you are going to look at that later today. There is no assessment that I could find in the plan concerning the future development in this area, the future uses of the eastern bypass road, and any future connections from the eastern bypass to this area or the State property here. The answer is that you have not looked at that and maybe you do want to look at it in the South Kaua'i Plan, but right now there is no overall plan for this area for traffic flow from Hapa Road to the eastern bypass. We have looked at all of this and we just thought that this was the best, easiest solution and yes it is nice when you can do it to put the road accesses across from other existing road accesses and so yes, if all things were equal maybe you would want to put the road over here across from the Marriott driveway access. Overall, to us, it made more sense to leave it where it is. Even if you somehow if we were able to do this and this will not be easy because of the physical constraints, you still would have the driveway here that comes into the Athletic Club, so now you created two (2) access points on to Po'ipū Road which to me does not make sense. I am happy to expand on this at a later date if you want, but I wanted to give you that overall explanation of what is happening in this area.

Committee Chair Chock: Any specific questions on the alternative access that has been discussed. Councilmember Yukimura.

Councilmember Yukimura: Is there no possibility of putting the tennis court access along a new access that would be across Marriott?

Mr. Graham: With enough money, I guess you could do anything. You would have to bring a new driveway across the property to connect to the existing driveway because of the configuration of the structures on the side. The new driveway would be using the lower portion of the property that is owned in part by the Knudsen Trust and the Augustus Knudsen Trust beneficiaries, so there would be a negotiation with them over that because it would affect their use of that property. It is possible, it is more complicated.

Councilmember Yukimura: Yes, and in that area that is zoned urban, is there any further plans for development beyond the fifty (50) lot subdivision?

Mr. Graham: It would be developed but there are no plans that I know of to develop that area and certainly no plans to develop the State Land Use Agriculture area above.

Councilmember Yukimura: Right, okay. I mean the traffic from fifty (50) lots will impact the roadway on Po'ipū more than it is now; you are going to have more traffic coming out there.

Committee Chair Chock: Okay, we have a question from Councilmember Hooser.

Mr. Graham: Just remember though, yes, there will be more traffic at the driveway but under the original proposal, all that traffic would have gone on Kiahuna Plantation Road come down and still got on to Po'ipū Road, so the question is where do you want to put the traffic.

Councilmember Yukimura: That is correct. Thank you.

Committee Chair Chock: Councilmember Hooser.

Councilmember Hooser: In addition to the fifty (50) lot subdivision (inaudible) with potential density or how many units could be ultimately be developed in that area?

Mr. Graham: In the R-10?

Councilmember Hooser: Of this area and this area. I guess the concern that was raised was that this is phase one and this is a fifty (50) lot subdivision but there are lots of other land there that will likely be developed in the future even if the landowner does not have present plans, so I am just trying to get an idea of the scale of development that is entitled now and possibly could be entitled in the future.

Mr. Graham: Sure. This is all agriculture land, there is this strip up here of R-4, I believe it is, lots and there is this area here of R-10 and it is in my files and I will give you the numbers that could be without any further zoning amendments be developed. The rest of this property has very little density because it is agriculture.

Councilmember Hooser: It seems like we may be having another session, if you could bring back that information.

Mr. Graham: I could.

Councilmember Hooser: Because the overall capacity of the area certainly deserves to be considered.

Mr. Graham: But remember if you were going to develop this area, you would need permits and discretionary permits so traffic will be an issue with any further development.

Councilmember Hooser: Right. And I understand that every time you have to do it but it makes sense I think from a planning perspective to look at the big picture and say that if this is what the intent is then let us plan it this way. I think that is the heart of the discussion that we are having right now.

Mr. Graham: Right.

Councilmember Hooser: Some of the decision making is what is best long-term for the County and some is what is best for the landowner/developer and easiest and most affordable.

Mr. Graham: Right.

Councilmember Hooser: So those are the two (2) competing interest right now that we are talking about.

Mr. Graham: It would be possible with this additional density to put it all into this access, so that is one (1) of the solutions.

Councilmember Hooser: Thank you very much.

Committee Chair Chock: I still do not have questions answered. If we want to defer it, let us defer it right now. I do not want to have any more discussion on, I want our questions answered before we move forward.

The meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Call for the question.

Committee Chair Chock: Please.

Councilmember Rapozo: Can I just make a real quick comment?

Committee Chair Chock: Please.

Councilmember Rapozo: Max stated that the whole reason why we are here today is because the protection preservation of Hapa Trail. That was the whole reason and motivation to do what was done. The South Kaua'i Community Plan is going to address most of the concerns of this application or this area. The draining has been addressed, the draining plans have been submitted, and they are done. The traffic, I do not believe that it is good practice for this Council, granted that there is potential future development but at the end of the day, you cannot put the burden of the future development on this application. Max said it best, whether you put it on this road or you put it on the Kiahuna Plantation road, the cars have to come out someplace and a fifty (50) lot subdivision is not a big subdivision but the options to me, this makes sense, this road will not go away. If you force them to go somewhere else, that road remains to service the existing lots that are there – the tennis courts, the spa, or whatever is over there. So you actually want to say, "No, you cannot use that, you use another one," but in essence it creates a new egress on to the road. I obviously do not vote today, Committee Chair Chock, but I am incline to support this should this Committee move it forward to the full Council. Thank you.

Committee Chair Chock: Further discussion? Councilmember Hooser.

Councilmember Hooser: I just want to reiterate that I did not hear any sense of urgency that we have to do this today or else it is going to cost us money or be a big problem. I would prefer to defer for at least one more Committee Meeting and take the time that we need to hear about the density, the plans, and then vote at that time. I will make the motion to defer.

Committee Chair Chock: Can I hear from Councilmember Yukimura? Did you have something else to add?

Councilmember Yukimura: I just want to say that I really appreciated Max's clarification and the fact that they have looked at different accesses and maybe it could be...that like I said this is the best solution but I think two (2) weeks for a decision that is going to be forever, I mean really...and I think we need to get

information about how much the total density potentially can be in that urban area. I am puzzled about the R-4 that was mentioned but that is why I think we need clarification and two (2) weeks is not too much in a decision that is going to be forever.

Committee Chair Chock: Councilmember Kaneshiro.

Councilmember Kaneshiro: Again, we are sitting here and I think we need to look at what is practical and from what I heard it is not practical to create another road for this fifty (50) unit subdivision. They said specifically that putting it on the existing road is the most practical thing to do, it can handle it. We do look at large vision, Tessie bought in a plan that shows all the development that could occur there and we do look at the large vision, you see a road connecting to Po'ipū Beach Park, but we also need to look at the small vision also. We cannot expect to do a Bentley road plan when they are only doing a small portion of the development. That is why Max made it clear that as development comes on that is when they will consider that may be we will need to open up another access here. I am just saying that for all practical purposes, I am ready to vote on this.

Committee Chair Chock: Councilmember Kuali'i.

Councilmember Kuali'i: Let me just say that I did not hear from anyone that it was critical that we vote today and so I am going to support the deferral for two (2) more weeks just for my own benefit. I need to hear from a couple of people that are not in the room today and have not come forward. I think it is always good to hear more, not only from the Administration but from the community. I will support a deferral today and I am pretty sure I can make a decision in two (2) weeks.

Committee Chair Chock: I will support your deferrals, if you make the motion. This is what my request is, I do not want to come back in two (2) weeks and have the same discussion. We have to move these things through, we have these plans that we have to get through, they are also time sensitive in terms of moving towards our General Plan. The questions that were brought up here and are new here, I ask that we move on them, be proficient in the questions that need to be answered. Go ahead.

Councilmember Kagawa: Chair Chock, I really appreciate you going along with some of your members and I like when we defer it, and when we defer it, we truly find or look for a better solution. I just do not see opening up another access, as explained here, as being a better solution. Even if you hear five hundred (500) more units could go up, I mean does that mean opening up another access, and having two (2) accesses instead of one (1) access. Is that a better solution for the community at this point? I do not see it. Not for this case, but for your support for a deferral, I will support it, just because the votes are there, and I am going to follow your leadership. Like you said, I do not want to defer it and just defer it because you want to ask more questions that is not going to even affect the Bill. Like I said, I will support your leadership.

Committee Chair Chock: We will defer it for one more meeting. Can I have a motion?

Upon motion duly made by Councilmember Hooser, seconded by Councilmember Kuali'i, and unanimously carried, Bills Nos. 2577 and 2578 was deferred.

Committee Chair Chock: I want to apologize to our guests that have been waiting.

*(Councilmember Kaneshiro is noted as recused from Bill No. 2571, Draft 1.)*

Bill No. 2576 A BILL FOR AN ORDINANCE ESTABLISHING PROCEDURES, DEVELOPMENT PLANS, AND FUTURE GROWTH AREAS FOR THE LĪHU'E PLANNING DISTRICT **(This item was Deferred.)**

Committee Chair Chock: For the record, Councilmember Kaneshiro is recused from this item.

Councilmember Kagawa moved for approval of Bill No. 2576, seconded by Councilmember Kualī'i.

Committee Chair Chock: The last two (2) weeks we had a great presentation by our Planning Department and our consultant Cheryl Soon. We had a lot of work that has been done in the last two (2) weeks in terms of answering the questions that were posed that have led to five (5) amendments that we would like to get on the floor today. In that process, additional questions did come up and so many that we have been continuing to have this dialogue offline in terms of answering the questions. There were some questions that were moved to this meeting today and will be answered by our consultant, and amendments that are forthcoming. Ultimately, I do not see it feasible that we will get to all the amendments today, one, because our staff has not been able to prepare them, so they are not ready to be looked at today. However, since our consultant is here and because there are five (5) amendments that we can get through and get all of these questions out of the way, I would like to continue. I think we can get through this fairly quickly, if members are clear about what it is that we have done. We have asked the questions, they have been answered, you folks have gotten copies of that, they have also materialized in amendments. I would like to take the five (5) amendments followed by testimony, and then the questions and answers that are specifically coming from Councilmember Yukimura, and we will go until lunch. Any questions about that? If not, what I would like to do is... Councilmember Hooser; do you want to introduce the amendments?

Councilmember Hooser moved to amend the Līhu'e Community Plan (2014) Booklet as referenced in Bill No. 2571, Draft 1, Establishing Procedures, Development Plans, and Future Growth Areas for the Līhu'e Planning District as circulated, as shown in the Floor Amendment which is attached hereto as Attachment 1, seconded by Councilmember Kualī'i.

Committee Chair Chock: We have one (1) floor amendment, which includes five (5) changes, and if we could have this matrix passed out too, I think it shows a better reflection of the specific amendments. They have this one too. Oh, okay. So you have the matrix. These go together. They are basically the same information but they might help to outline the specific amendments. Do we need more explanations on them or any questions about them? Lea, can you come up and walk us through the amendments.

There being no objections, the rules were suspended.

LEANORA KAIAOKAMALIE, Long Range Planner: Good morning Councilmembers. We have Mike Dahilig, Planning Director, and Cheryl Soon from

SSFM who is our consultant in the Līhu'e Committee Plan process. I have a copy of the proposed amendments that was a result of some of the questions that came to us through Council Chair. How would you like me to proceed?

Committee Chair Chock: Can you walk us through the five (5) industrial uses?

Ms. Kaiaokamalie: The first proposed amendment is in relation to questions that we had on March 4 regarding the affordability of industrial zoned lands. The addition reads as follows: "While there may be adequate industrially-zoned lands in Līhu'e planned for in the next 20 years, feedback during the plan process has revealed that residents island-wide feel that both light and general industrial spaces are inaccessible or unaffordable for purchase or lease by local entrepreneurs. Discussion regarding incentivizing and/or requiring access and affordability of industrial lands should be pursued during the general plan process, since this issue is not unique to Līhu'e." That was the first, should I keep going?

Committee Chair Chock: Yes, please.

Ms. Kaiaokamalie: The second one is clarification that needed to be made. There was an amendment to page 73, I believe the last time, regarding how many acres of district par we have in the Līhu'e area. There is going to be a change in the right hand column of this page from 2.7 acres to 3.28 acres to be consistent with Table 3-2. The third one is in regard to questions about removing...there was a proposal at the last meeting to remove PKS-1 from the CIP Table regarding Parks and Recreation, "A new comfort station and parking scheme for the soccer complex at Lydgate Park," and what we propose at this time is to leave that in and change the last column to...where this suggestion is coming from is the Parks Master Plan because it is no longer in the County's CIP. The fourth one, under Section 2.3 Policy Objectives to add a new number 13 to state, "Seek out partnership and funding opportunities for the undergrounding of utilities, in particular in the Līhu'e Town Core along Rice Street," and this comes from some discussion and questions regarding looking into undergrounding utilities in the future. The fifth proposed amendment also has to do with the undergrounding of utilities and basically it follows what we have on number 4, which states, "The possibility of undergrounding utilities has been a discussion on Kaua'i for many years. In regard to the Līhu'e District, there are no immediate plans to move electric utility lines underground due to the extremely high cost of installing lines underground on Kaua'i (currently five-to-fifteen times more than overhead systems, depending on the terrain). However, the undergrounding of utilities has been performed on a limited, case-by-case basis, where unique circumstances warrant it. KIUC, as a community owned cooperative, is open to discussions on the undergrounding of lines in key corridors in partnership with organizations that can assist with coordination and funding." This is coming from discussion with both KIUC directly and with our energy coordinator Ben Sullivan. Thank you.

Committee Chair Chock: These are based on questions that were generated on interests for amendments at the last meeting. Do we have any questions of our Planning Department or consultant on these items? Councilmember Yukimura.

Councilmember Yukimura: I just want to thank the Planning Department and the consultant for these amendments which are acknowledgements of the concerns that were raised by this group and also I think helped to look forward to

possible...well, they identified the issues that need to be identified as important issues and they look forward to some solutions. I think it is very appropriate and I greatly appreciate the responsiveness to Council's concerns.

Committee Chair Chock: Thank you. Any questions on the amendments? If not, what I would like to do is I think we can take them in a vote all at once.

Councilmember Yukimura: Yes.

Committee Chair Chock: Any further questions, members? Should I take public testimony now? Yes. I am sorry to have you folks vacate but I just want to ask if there are public testimony before the vote. Would anyone like to testify on this item? Sure. Matt, are you going to talk about the whole plan in general?

MATT BERNABE: I have a quick testimony. Not going be long. You know me. I get green and I want to beat the yellow.

Committee Chair Chock: I just wanted to get a sense of if it is for the amendments or for the whole Bill.

Mr. Bernabe: It is. Really out of all of these amendments I just want to point out while you folks are focusing on industrial zoning and all of these other kinds of things that people want to have business in, currently they have a lot of agriculture land that they are not even using. What is their long-term plan for farming and exporting some vegetables? Getting some diversify agriculture out of their land. Their name is Grove Farm, not Grove Developers. I like Safeway. That is a traffic issue, a lot of tourist use Safeway, that is smart planning we needed that, but if you folks are going to put the emphasis on all of these little things, they got a lot of viable agriculture land. Let us start filling up some Matson containers leaving with that product and not worried about welding and all of these other things, of course we need that for the vehicles, but let us get it all holistic.

Committee Chair Chock: Would anyone else like to testify? Mr. Taylor.

KEN TAYLOR: Since we just got these amendments, it is hard to talk much about them, but the plan in general, I have a couple more comments to make. If you recall on the last hearing I talked a little bit about concerns for traffic and infrastructure that was needed to take care of that I do not really see any activity in that direction in any of the amendments. I also want to talk about us looking at moving forward with recommendation with developing housing when we have a water problem existing in Līhu'e as it is. In the Rice Camp project, we could not build the whole thing out because there was inadequate water meters available so only part of the project should be done. It is my understanding that the Grove Farm project at the intersection coming out of the airport, they have a problem with adequate water supply not only for the commercial part of the development but the five hundred (500) units of housing that are supposed to be built along with that. This decision that came from the Supreme Court last year in reference to Kaua'i Springs versus the County, I think that opens up a can of worms with the Grove Farm DOW joint owning some sources and distribution. I do not think Grove Farm has a legal right to own any water supply by State law, and I think the County is in violation of water code in participating with Grove Farm in that kind of activity. I think those things will have to be resolved before we move forward with this plan that is short of water to begin with. I just want to say, "oh, yes, how about a nice cold

glass of sustainable growth,” and I will make sure that you each get a copy of this. I really feel now that is where we are going, not only with this community plan but also with the east side community plan that is coming down the pipe. We have to move forward with a much smarter planning process.

Committee Chair Chock: Thank you, Mr. Taylor.

Mr. Taylor: Thank you.

Committee Chair Chock: You are welcome. Would anyone else like to testify on this item? Seeing none, if there are no more questions or further discussion on the amendments, I will call for the question. Councilmember Kagawa.

The meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: I will be supporting these amendments and I just like to talk about the one about underground utilities. In looking at the costs, we are broke and I cannot imagine that it is a realistic to obtain five to fifteen time's overhead systems to underground our electricity. We just did a...I do not know what it is called but Hardy Street and all of that, we went around and just to show you how it is ready, fire, aim...I mean if we wanted to do underground utilities, we would have done it when we spent all of that money because now if we have to do it, we have to go through all of these curbs, cement, and walkways if we ever wanted to underground the core around Lihu'e. Believe it or not, we had a beautiful straight path and where there is a pole and wire, they have to curve around it, which means you have to ride your bike straight and then you have to dodge the pole. A beautiful bikeway/walkway should be straight and it would have been done that way if we buried the utility there but there is not enough room. While I love seeing that kind of improvements made because I believe it is much safer to have a design flat area to walk because people are going to trip over driveways and grassy areas but I think as time goes on, if that is the vision to have nice sidewalks and walkways we have to do it all one time in the plan. I hate to see when we have paved roads and walkways and a little while later we are busting it up to do improvements or what have you. That is such a waste of money. Would we do that as a homeowner? Would we pave our driveway and in a little while bust it up because we want to change it...only in government it happens. I think we have to spend wisely and think big picture and plan better because when we put this in, are we just saying it just for words that we want to do all these amendments, focus on underground utilities...just put it in for words and all of our actions...I am sure Puhi, we are going to go around poles and around guide wires but it is the same thing. If we really want to do underground utilities, let us do it. Let us do it before we end up doing it and then five (5) years later we end up saying, “We want to do it now,” and then we are going to have to bust all of that new stuff that we did that is costing us millions. Thank you, Chair.

Committee Chair Chock: Any further discussion on the amendments? None, I just wanted to say, and I will take time now because we will move into the questions right after this. This is the first round of amendments, there are five (5) right now, but I am estimating here as we have gone through the week there is a potential twenty-nine (29) amendments still coming forth – twenty-nine (29). My hope is that from now until the next meeting we can continue to vet these with the Planning Department and really get clear about them and recognize how we want to implement or not. In general, I am supportive of...because this is a guideline that we are using, I am supportive of members wanting to put forth some of their interest. I am not very supportive of taking out some of the work that has occurred from the

community's perspective. If at all, we need to keep that and if there is an interest of strengthening language then I will be open to it. I just want to put this into perspective because we talk about if we have more time to work on this and these two (2) plans that we are working on are meant to inform the work that we want to get done in the general plan and based on conversations with the Planning Department, we are shooting for mid-May to start that work. If we can pass this, great, we can get some questions answered today and then get all the amendments forthcoming on the next agenda, which will, deferred until April 29, 2015. My hope is that we can move this plan to the full Council by mid-May. I do not know if that is wishful thinking, nothing is easy here, but that is where I am with this. Councilmember Hooser.

Councilmember Hooser: Just real quacking, Chair, I fully support moving this forward and in a manner of which you described. I wanted to acknowledge Councilmember Yukimura and yourself, you know there is a lot of talk about process, and amendment number one of the five came about because of a conversation that we had in open session that Councilmember Yukimura initiated. She raised the issue of the lack of affordability of industrial zoned lands and because of that one comment, there were other comments and discussion, and now we have an amendment, which essentially gives direction to the general plan discussion to say that we need to have discussions there about incentivizing and/or requiring affordable industrial properties. To my knowledge, we never had that discussion before. Like affordable housing, we require and incentivize. To take the conversation to the next level I think is important. It may seem like it is just a sentence or paragraph but I think it is an important start to a very important discussion that would not have happened if we had not had that discussion at the table. Again, Councilmember Yukimura was the one who initiated that. I am very pleased to support these amendments. Thank you.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: In addition to the relationship to the general plan, these community plans stand on their own in terms of giving direction for the next twenty (20) years in this region. I feel like they have a very important role and the words and direction that these plans give are things that we should not rush into. I am amenable to the schedule that you suggested and I recognize that we do not want things and it is not useful to just let things just drag on but I think where there are really substantive issues that we have to address for example affordable housing. Both these plans I believe have the desire to provide affordable housing but a lot of the wording is mainly about a diversity and numbers. The tenacious issues of how we are actually achieve them have to be addressed somewhat in these plans, not as solutions but as at least issue identification so they do guide our future work and our general plan work. I appreciate Chair's guidance in giving us the space and time to address these issues.

Committee Chair Chock: Thank you. Any further discussion?

The motion to amend the Lihu'e Community Plan (2014) Booklet as referenced in Bill No. 2571, Draft 1, Establishing Procedures, Development Plans, and Future Growth Areas for the Lihu'e Planning District as circulated, as shown in the Floor Amendment which is attached hereto as Attachment 1 was then put, and unanimously carried.

Committee Chair Chock: I will suspend the rules at this time. We will spend the rest of the time that we need to; I think there are about nine (9) questions

that we have forthcoming. Please join us again. Do you need a caption break? In ten (10) minutes, okay. Because I mentioned before, we are moving towards thirty (30) possible amendments and the amount of questions that came forth from Councilmember Yukimura regarding the plan, amount to this book that you put together, I am wondering if it is possible to share this with other members?

Councilmember Yukimura: Absolutely.

Committee Chair Chock: As it moves us to getting an understanding. It might be clear on the amendments as they show next time. Is that okay? Councilmembers, if you desire a copy, we have copies here for you. I will turn the floor over to you.

Councilmember Yukimura: We went over these questions yesterday, thank you, Lea and Christiane. I think we have identified the ones that are easy to answer and so just for background and understanding why do we not go through them. I think we can get through them quickly.

Ms. Kaiaokamalie: Should I just go down the list, is that how you want me to do it?

Councilmember Yukimura: Yes.

Ms. Kaiaokamalie: Your first question was concerning, "What is the difference between an Urban Growth Boundary and an Urban Edge Boundary?" I have Cheryl and Mike here as well to elaborate if necessary. The Urban Edge Boundary is the same as the Urban Growth Boundary.

Councilmember Yukimura: Okay.

Ms. Kaiaokamalie: Except that, I think that the term better connotes that it is an edge between the urban area and the non-urban area whether there is growth there or not. It is not necessary where growth has pushed that line but where we are setting that edge boundary for the growth that we anticipate to come in.

Councilmember Yukimura: Basically, we are creating a line beyond which we do not want to see urban growth, right?

Ms. Kaiaokamalie: Right. It is a form-base code kind of terminology.

Councilmember Yukimura: Oh, okay, and maybe it is the evolution of the term "urban growth boundary" now being adopted in form-base codes (FBC) as urban edge, they basically mean the same thing. Okay, thank you.

Ms. Kaiaokamalie: The next question, it was in three (3) parts. What is the difference between mixed use and urban center? Are these FBC terms? Where are they defined? Urban center is a General Plan land use designation and its definition remains unchanged in the Lihu'e Community Plan from there, we use it in reference to our proposed general plan land use maps. Mixed-use special planning areas, our new special planning areas defined in the Lihu'e Committee Plan and they are defined in Section 6.2.4 that starts on page 115. Section 6.2.4 is the designation of special planning area.

Councilmember Yukimura: Urban growth center is defined in the general plan.

Ms. Kaiaokamalie: The urban center is a general plan designation.

Councilmember Yukimura: Is a general plan designation, okay, so it is already in our general plan?

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: What is it defined as?

Ms. Kaiaokamalie: Urban center?

Councilmember Yukimura: Yes.

Ms. Kaiaokamalie: I guess one of the things that right now we have been discussing in anticipating of the general plan is how our different designations whether it be the general plan designations or future designations, county zoning and state land use kind of work together. Like residential, military, airport, urban center is another designation that are used in the land use maps from the 2000 General Plan.

Councilmember Yukimura: If we go to the land use map for the Līhu'e Community Plan...

Ms. Kaiaokamalie: Page 62 has a map showing the existing general plan designations. There is also another map in this plan.

Councilmember Yukimura: I want to see where we are using as a policy map that we are going to refer to into the future and I think you had one under policies and...

Ms. Kaiaokamalie: It is on page 95.

Councilmember Yukimura: Thank you. You are showing mixed uses as the lavender area.

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: And urban center as the light orange.

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: So I guess I was just trying to figure out the distinction between urban centers and mixed use and you said that mixed use is related to special planning areas.

Ms. Kaiaokamalie: I think how it would be best described is to say that mixed use is a subset of that urban center specifically identified because these are new areas of growth or increased density that we would want to see more detail

plans about when a developer is proposing a project in those areas that are consistent with the Līhu'e Community Plan.

Councilmember Yukimura: I guess that is why I am curious to...this is separate from the proposal that is talking about allowing increased densities in existing Hanamā'ulu.

CHERYL SOON, Professional Planner at SSFM International, Inc.: Is your question in regard to the purple on Hanamā'ulu, on the mauka land, is your question because of that designation?

Councilmember Yukimura: Maybe but I am also remembering text that talked about where we are going to put additional housing.

Ms. Soon: Hanamā'ulu seemed to be a good location for that, yes.

Councilmember Yukimura: Right. On page 111, you have 5.10.3 Hanamā'ulu policies for Hanamā'ulu are intended to support it as a residential center, recognize density issue and explore up zoning, okay. Is that purple to reflect this policy? Okay, so it is a separate thing.

Ms. Kaiaokamalie: Yes, it is separate thing, yes.

Councilmember Yukimura: What does the purple here mean and what are your text policy about Hanamā'ulu mean?

Ms. Soon: There are two (2) sections being discussed in the plan regarding Hanamā'ulu. One is the existing developed area, which you can see designated because you can see the roads in them already. Those are existing areas. The purple area we thought was highly suited, the community thought was highly suited for additional development because it is essentially infill between other areas, it would support more commercial uses in Hanamā'ulu which are still within the walking distance of each other. It was supported by all the objectives of walkable compact community.

Councilmember Yukimura: Is that where the church is presently?

Ms. Soon: Yes.

Councilmember Yukimura: Okay. That is the intention that while we are not adopting form-based codes at this point, that form-based codes might apply to these purple mixed-use areas.

Ms. Kaiaokamalie: Yes.

Councilmember Yukimura: And then in terms of your textual policy, which is a separate issue in 5.10.3 recognized density issue and explore up zoning, can you explain that?

Ms. Soon: The first bullet refers to two (2) types of things, one is density in the purple area could include a multifamily and not just single family.

Councilmember Yukimura: In the special area?

Ms. Soon: In the special area, that is correct.

Councilmember Yukimura: So it actually has some relationship to the special planning area.

Ms. Soon: Correct.

Councilmember Yukimura: You are saying that we should look at the potential of increasing the density in that special planning area, that would one way to recognize the density issue.

Ms. Soon: Correct.

Councilmember Yukimura: And then there is another part to this?

Ms. Soon: We also discussed in the existing areas, which are in a de facto way already having people live in a second unit in the property to explore the best ways in the zoning code to legitimize that without making it a blanket in this plan saying let it convert.

Councilmember Yukimura: Every place in Līhu'e?

Ms. Soon: No, this was specifically regarding in Hanamā'ulu because it was happening already and it appears to have the water to support that, it has some issues regarding the number of automobiles that are being attached to these and some problems with people parking on the street because they (inaudible).

Councilmember Yukimura: That is a problem everywhere.

Ms. Soon: Yes, but these were the issues that were discussed by the community regarding the density in the existing Hanamā'ulu areas recognizing that it has already started converting into people living in second units in the property.

Ms. Kaiaokamalie: This specifically came up by the community of Hanamā'ulu.

Councilmember Yukimura: So how is addressing the existing de facto density going to solve the automobile problem?

Ms. Soon: It would have to be adjusted in the zoning code as to how automobiles are to be treated if a section unit is permitted on the lot, how parking or provision for automobiles would have to be part of the zoning code for such units if you were to (inaudible).

Councilmember Yukimura: Do you have examples of how this has been done anywhere?

Ms. Soon: We can find them, certainly. The issue that actually rose in the discussion on public transportation because people wanted to be

using the bus but they were finding that in order to walk from their home to the bus in the dark without lights, the cars were forcing them to walk on the road.

Councilmember Yukimura: That is true.

Ms. Soon: So it is a more complex problem than a single solution but it was raised by the community and they felt that people are already living that way and so let us try to put it into the zoning code and fix the parts of it that were not working well. That was basically the parking on, what would either be a sidewalk or at least a paved sidewalk but would otherwise be a walking area for people.

Councilmember Yukimura: I sometimes walk in Lihu'e Town Estates because there is a sidewalk there, and at night, late at night, I often walk, but you do have to go into the street because there are cars parked in driveways from the garage to the street. You have to go around them.

Ms. Soon: That is a driveway issue. What was raised to us by the community was actually that they were parking along the whole frontage of the home, not just in the driveway area.

Councilmember Yukimura: Yes, and they do not have sidewalks there.

Ms. Soon: That is correct.

Councilmember Yukimura: So it gets even more disorganized.

Ms. Soon: And the plan does actually discuss that. I do not mean to be jumping around...

Councilmember Yukimura: The plan discusses what?

Ms. Soon: The plan discusses that in order to have more ridership on the bus system that certain...as many as possible but certain key bus stops needed to include lighting, access to that bus stop, and the plan gets into that that if we are going to have a walkable compact community that is using other modes that we need to be addressing back to the home issues about how a person walks from their home to the bus stops.

Councilmember Yukimura: It sort of a chicken and the egg because by having more frequent bus, people can actually release one or two cars per family, but you cannot get that safe access way to the bus because of all the cars.

Ms. Soon: And that was part of the community dialogue on that subject. It is a big set of issues to tackle and which comes first but the directionality was certainly discussed and we tried to catch it in the plan.

Councilmember Yukimura: Okay, I am still not clear how addressing it through zoning is going to solve the problem, but...

Ms. Soon: It does not solve it; it is a piece of it. The community really felt that because so many people were living and I do not want to say multi-generations, it is more than multi-generation there was more than one subunit in the residence. They did not want to make that illegal. They sense that

perhaps it was. They wanted to look for ways to make it possible for that to continue but to get control on some of the (inaudible) that were taking place.

Committee Chair Chock: Okay, I am going to stop us there for a caption break. I think we have veered a little bit from that question anyhow but if there are some other follow-up questions on zoning I think we can get clearer guidance as well in the future.

There being no objections, the Committee recessed at 11:30 a.m.

The meeting was called back to order at 11:40 a.m., and proceeded as follows:

Committee Chair Chock: I believe we are on Councilmember Yukimura's next question on park space. Is that correct?

Ms. Kaiaokamalie: That is correct. Councilmember Yukimura asked what is the total park space in the Līhu'e district and how many acres are passive/active? This is in Table 3.2 of the Līhu'e Community Plan on page 72, total park space a 174.5 acres approximately. Passive parks, there are not passive parks. Active parks, all of the above, 174.5 acres.

Councilmember Yukimura: Page 72. Maps are so helpful and when I looked at the maps of parks on page 73, if you look at the Līhu'e area and I know there are a lot of along the Wailua River and Lydgate but in the Līhu'e area *per se*, Hanamā'ulu-Līhu'e-Puhi, it seems small except for that *manini* strip. If it is going to be the heart of the population, I thought, wow very little park, and then I realized what Hanamā'ulu Beach, Kalapakī, and Niumalu plays even though they are not marked green it still is the recreational sites of the Līhu'e area. I think there is a lot of more potential for Hanamā'ulu and even our Committee Chair has been working in Niumalu to remove some of the...what do you call that, Mason?

Committee Chair Chock: Excuse me.

Councilmember Yukimura: I am talking about the work that you are doing in Niumalu. I love the suggestion of an expanded linear park along the breakwater wall at Nāwiliwili, in fact I think ultimately if we could move harbors back further, which is a great global rising seas kind of mitigation or adaptation and have a longer linear park all the way in the space that is now being used to industrial uses, that could be a beautiful expanded park area. Those would be passive parks area, and then it led me to a proposed amendment that I will make to just highlight the issue of water quality at Kalapakī and Hanamā'ulu Bay. I think that is sort of an obstacle to increase usage and if we could address that that could lead the way to a more availability of recreational space. I just wanted the statistics and...

Committee Chair Chock: Page 72.

Councilmember Yukimura: I am sorry, I could have just read the chart but this plan is so full of information that it is hard to absorb all of the information at once. Thank you very much for the information.

Ms. Kaiaokamalie: The next one was in regard to Section 5.2 Parks and Civic Spaces Policies, bullet 4, sub-bullet 3, she is asking, "Do you really mean that the multi-use path from Nāwiliwili through Nāwiliwili Gulch would extend

to the proposed Līhu'e-Hanamā'ulu Road?" This is a possibility and could be added to this bullet to make it clearer.

Councilmember Yukimura: Because it was a major part of the discussion we had that day that we...we had the fashion show also and the music...but I remember talking to Dr. Chihara at one of the flip charts, I think Marie was there, it must surely be on the flip chart, this cross path. The path that would link the old town of Līhu'e, the older part of Līhu'e with the newer part Kukui Grove was a major part of discussion and actually generated a lot of excitement. I just want to make sure that that is in there. Maybe that is an amendment that you folks could propose.

Ms. Kaiaokamalie: There is a lot of excitement for that connection.

Councilmember Yukimura: Yes, because it is such a sort cut and people do not have to get into their cars to come to work.

Ms. Kaiaokamalie: The next question was in regards to Section 5.2 Parks and Civic Spaces Policies, bullet 7, "What is meant by connection between Rice and Kūhi'ō Center? What is Kūhi'ō Centers?" I think we can make a clarification there to amend that as following and this is the whole sentence I am reading, "implement the Eiwa Street transit mall as a major transfer center public interface and connect between Rice Street and center of businesses along Kūhi'ō Highway," that would make it more clear what we mean by Kūhi'ō.

Councilmember Yukimura: You are talking about...I am sorry...is it the bullet that says, "Develop a mall between?" Which one are you talking about?

Ms. Soon: The second column from the left, the second bullet down, "Implement the Eiwa mall." Your question was, "What does it mean Rice and Kūhi'ō Centers," and so we will get to that second question in a minute but the first question which is your question 14 proposing language that clarifies that it is meant for Eiwa mall to also be an interface of connection to Rice Street and the central businesses along Kūhi'ō Highway, that is the clarifications that we are proposing.

Councilmember Yukimura: Okay. The intention is that it will be a connection between Rice Street and Kūhi'ō Highway.

Ms. Soon: The businesses along there, yes.

Councilmember Yukimura: Oh, okay.

Ms. Kaiaokamalie: Moving on to the next one, Section 5.2, that top bullet on the right hand side bullet 7...

Councilmember Yukimura: Read it.

Ms. Kaiaokamalie: Develop a mall between the State Office Building the County Building to link the buildings and nearby parking structures.

Councilmember Yukimura: Yes.

Ms. Kaiaokamalie: Whether we are referring to the Historic County Building, does this mean removing the parking between the two (2) buildings and what parking structures are we referring to?

Councilmember Yukimura: Right.

Ms. Kaiaokamalie: Cheryl can jump in here if need be. The reference is to the road area between the Civic Center and the State Building as a mall. The design is still being developed; I think Lee from Public Works might have...

Councilmember Yukimura: We are talking about Eiwa Street.

Ms. Kaiaokamalie: Yes, as a mall.

Councilmember Yukimura: And the State Office and the County...you see there is this area here between the State Office Building and the Historic County Building, so that was part of my confusion. You are actually talking about this area along Eiwa Street, which is between the Civic Center, the Historic County Building, and the State Building.

Ms. Kaiaokamalie: I think we can amend this to clarify it a little bit more.

Councilmember Yukimura: Okay.

Ms. Kaiaokamalie: And also instead of referring to parking structures, probably parking area would be more specific because like you said there is no parking structure itself, and the term gets confusing.

Councilmember Yukimura: Okay. I cannot recall what the urban town core plan or whatever recommended for this space between the State Office Building and the Historic County Building, I believe it was to be a mall too. A "mall" mean pedestrians and not cars, and that is why I bought it up and they told me that assuming we would get the TIGER grant, we will go through a design process, and it really bothers me that we are going to have major vehicular traffic and pedestrian traffic.

Ms. Soon: When you say major, are you referring to the bus?

Councilmember Yukimura: Yes, and one-way car traffic.

Ms. Soon: Well that will become a design issue but I from my understanding is that it is not envisioned for vehicular traffic except for the bus and then the passengers get off of the bus and they need to walk along that route to get to the next place they would like to go.

Councilmember Yukimura: Well.

Ms. Soon: It will always have some pedestrian and bus together but it is a design issue to make sure you are the grade change or other designations to make sure you treat it safely.

Mr. Dahilig: If I could add to that. You have a Līhu'e Civic Center Plan that was adopted as well as the Līhu'e Town Core Plan that was adopted. I think what the statement was meant to do is essentially say, look, this is an area of intense public utilization. What we want to do is we want to create...instead of relying on the cars to even get between these buildings, make it an interspace consistent with some of those town core and civic center plans and look at how to link it rather than just using it as parking spaces. I think that is really, what we are trying to encapsulate with those two (2) previous documents that have already been produced.

Councilmember Yukimura: Well those previous documents recommended putting parking underground. If you do not do that then there is an issue of how you reconcile these two things. It is interesting Cheryl that you mentioned grade differences because in thinking about the issue it occurred to me that if the buses were to go underground, that might create...not parking but at least a separation of grade between the vehicular and the pedestrian which might solve the problem, but we will address those, I have been told and reassured, during the design process. It is mainly to understand what was intended here and I hear that you will be clarifying that so that is fine.

Committee Chair Chock: There is some follow-up to that.

Councilmember Yukimura: Okay.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: Did you have the County Engineers helping you? What I am afraid of is that the Council is trying to get you to say an exact plan for this area and I have only been here on this Council for two (2) years and three (3) months and I have seen the plans for Eiwa Street change three (3) times. The first time they said, no vehicle traffic, then they said, one-way right turn, and then they went back and said possibly no right turn or exit out. The County Engineers as we speak are not sure really what is the final plan. Basically, they keep changing their mind. I see them change their mind several times. I think for this Līhu'e Town Plan, my advice is to leave it broad and do not nailed down one, because the County Engineers are still assessing what is the best solution. I think sometimes we can try to be caught up in the details but in the end, something broader allows the County Engineers at some point to come up with the best. As I said, they have talked about the bus being here, is that set in stone, I do not think so.

Mr. Dahilig: I would totally agree with that. All we are trying to do at this point is...like you said, be very broad about this. Many of the details regarding the financing or what the regulations are at the end of the day, this resolution has to be adopted by this body in effect to create whatever this vision is. I think that really is a conversation that has to be done with the Public Works Department. Some of the options that the Engineering Division are bringing forward are probably driven by availability at any given time. I guess for me as a Planner, if we had all the money in the world, I am sure that we could end up with something cool out there but that is just the nature of whether or not we get TIGER grants and those types of things. I would concur that we probably would want something that at least records what is going on, leaves it open to consistency but at least folds into the community vision that they want more interactivity in this area rather than just streets and parking.

Councilmember Kagawa: I would just ask that in order to keep it broad, if you can just double check with Larry Dill, County Engineer, to make sure that the language is broad because like I said I heard several versions of her plans to address parking. They are not even really sure how much parking to expect when we fill up those empty slots that we have with tenants possibly moving over other agencies. I am saying that let us keep it broad and let the County Engineer help you with the language to make sure that it is broad.

Ms. Kaiaokamalie: I just wanted to mention that we worked really closely with Lee and with the Engineers and they are the ones who provided the language, not specifically, we went over it, we had a lot of discussions with them, but up until last week of course we were also talking to them because there were questions about the design in the last session.

Councilmember Kagawa: Thank you.

Committee Chair Chock: Council Chair.

Councilmember Rapozo: I think there are a couple of limiting factors besides funding, obviously funding is key, but it is also our jurisdiction. This parking lot between the State Building and this building is not even our parking lot, not even our property. To talk about making it a mall, underground tunnel for busses, or whatever, I mean I think what Councilmember Kagawa is saying is that we need to make it general so that the Council at that time, or the Planning Department at that time will have the flexibility to do what needs to be done and not be restricted. Times change. We all know that. As Ross has said, the plan for Eiwa has changed three (3) times and maybe even more. I do not care what anybody says, you are not going to get rid of the cars, so where will you put the vehicles that need to go to the State Building? We are already losing parking spaces with this program that they are doing in Līhu'e right now. We cannot forget about the people that drive, or the people that needs to go to the State Building to do their business. What are they going to do, walk? I know the intent is to get everybody on the bus but I am telling you that I will never catch the bus on a daily basis because I can, and there are many people like that who have two (2) to three (3) jobs – we do not have the flexibility to do that. The other thing and I mean no disrespect to Councilmember Yukimura but this is a Committee Meeting of which she is not a member of and she is giving you what she believes need to be changed and you folks are saying, "Okay, we can make that change." Understand, that has to be a decision made by the Council and not Councilmember Yukimura. I understand that you are trying to accommodate her but at the end of the day it needs to be in a form of an amendment that is passed by the Committee and the full Council. I appreciate your willingness to work but I am sitting here as a non-Committee member and I am holding myself because I am not on the Committee, I am not going to waste their time, but please understand that the changes have to come through the normal process and not just because she wants, or because I want. First, I want to know from you what your position is because you folks had the community meetings, the process already, and this is the final product. It is okay to tell us that we disagree, but if it is the will of the Council, we will make that change. It is nice to be accommodating but I also want to respect the process if you folks have just been through for a very long time with a lot of community participation. I just want to mention that Mr. Chair because I am hearing a lot of, "Yes, we can make that change," hold on do not make any changes until the Council passes it as a Council action. Thank you.

Committee Chair Chock: Thank you, Council Chair, for the clarification. I think that is the intention, to vet these questions, and to say that we will be making them is a little premature but certainly moving towards seeing an amendment come forth is why this discussion has occurred.

Councilmember Yukimura: Mr. Chair.

Committee Chair Chock: Yes.

Councilmember Yukimura: First, I am a member, I am an ex-officio member, I have a voice, but not vote. This question was not even to ask you to tell you to write it...I am just asking what you meant by it so that it is clear. I am not trying to tell you just do it for me, but I am an elected member of this that is the policy body that is ultimately going to make the decision about what this plan is and we are not going to do it by one (1) member, it is going to be done by four (4) votes but to the extent that it is clarifying the plan or making it better in the eyes of the Planning Department. Like what they have done, they have responded to not just my concerns but others as well. I do not know what the concern is about us going through a very important document that is going to guide us for the next twenty (20) years.

Committee Chair Chock: Okay. Understood. Again, these are questions and the amendments will run separately by the members who want to see them come through. With that, I would like to get to the questions.

Ms. Kaiaokamalie: There are three (3) more questions. The next one is on that same page 99, Section 5.2 Parks and Civic Spaces Policies, bullet 8, "Which Puhi Park, are you speaking about the one along Kaumuali'i Highway?" I have to actually apologize, the park that is in reference is the Grove Farm Soccer Field, not that one along Kaumuali'i.

Councilmember Yukimura: So, there are at least three (3) parks in Puhi, right?

Ms. Kaiaokamalie: The soccer field is not a County park; it is a private park so it is not listed as one of our County parks.

Councilmember Yukimura: 5.2, bullet 8, and I might just mention for plans, it is hard to work with bullets. I mean to refer to them, you have to count them and everything, and maybe some other designation would be helpful. Retain Puhi Park as a soccer field and maintain the park area from open field, again, I am just asking what park you are referring to because it is not clear, and which park is it, Lea, that you are saying?

Ms. Kaiaokamalie: It is the soccer field that is privately owned by Grove Farm and again this is...community sentiment regarding what they would like to see in that area and they would like it to remain as an open field.

Councilmember Yukimura: I have no objections to it but I thought it might refer to that park that is on Kūhiō Highway, and so I am just wanting to know which park you are referring to. When you say Puhi Park, are you going to have another name for it or is that the name and if so, what is the name of the park in front of the...on Kūhiō Highway...

Councilmember Kualī'i: Kaumuali'i Highway.

Councilmember Yukimura: Kaumuali'i Highway, thank you. What is the name of the park that is...I do not even know that...it is in the back corner?

Mr. Dahilig: I think we understand the question. Let us get the answer for you and we will transmit it.

Ms. Kaiaokamalie: The next question is in reference to Section 5.3 Historic Resources policy bullet 5, "What is meant by preserve view sheds and scenic qualities of features including views of Ha'upu Ridge, Kalepa Ridge, and Kilohana Crater?" The potential impacts to view sheds as proposed by developments are assessed during the permitting process. The Planning cannot anticipate every possible iteration of course of this application so we do not want to get that specific. Shall I move on?

Committee Chair Chock: Yes.

Ms. Kaiaokamalie: The next question that would be 24 on your list – it is very simple. There is a question about providing a better reference map of Puali. If we do not have a map of Puali in there, we will include it.

Councilmember Yukimura: And Puali is the area along Nāwiliwili Road right.

Ms. Kaiaokamalie: If you look at the map on page 99 on the bottom, and this might be a little tricky but I guess if you go towards the harbors there is a yellow section that looks like a boot, it is the orange...it is that yellow section on the bottom.

Councilmember Yukimura: The corner tips Nāwiliwili Road.

Ms. Kaiaokamalie: Yes, our little boat, I guess.

Councilmember Yukimura: That was helpful, thank you.

Committee Chair Chock: Are there any other questions from other members? I do not want it seem like it is all consolidated in one direction. If no questions, again, what I really want to get us to is to specific amendments, I know there are questions about whether or not we want to get them on further discussion that needs to occur and clarity from Councilmember Yukimura. I want to get those all clear before we get back to the table again. The request is that because the amendments are not ready yet, that we defer until April 29, 2015. I will entertain that motion at this time, unless there are...

Ms. Kaiaokamalie: My question is whether or not we will be waiting for a formal transmittal from Council with that language – the proposed language for amendments.

Committee Chair Chock: I think it is up to Councilmember Yukimura to submit the first run at getting the amendment done. Yes?

Mr. Dahilig: During the break we had discussion, Committee Chair, there are a lot of questions and they should be answered, I think as you saw from a couple of previous questions, our department is struggling with

whether or not it is leading to some type of an amendment or if it is just a clarifying situation. I think what we will do is we will work with Councilmember Yukimura and at least try to understand whether these are leading for floor action and should be brought as an amendment versus things that we can clarify based on just reading off of the document. I think there is another amendment that Councilmember Hooser would like to discuss and entertain and we would be more than happy to have that discussion offline. Again, if any other members would like to I guess help for efficiency purposes, have dialogue with our office. That invitation is open.

Committee Chair Chock: Our goal is April 29, 2015 to get all the amendments out, if possible. If we can complete it on that day, it is questionable, but I think similar to what we did today if we have them, and the matrix that you created, I think...and we are kind of aware based on the questions today and the direction of conversation then we can get through them a little bit more quick. Council Chair.

Councilmember Rapozo: I was going to say that whatever is agreed upon your department and Councilmembers as far as language and any changes that is fine. It should go across in a form of an amendment. In addition, as for our staff, if Councilmembers have potential amendments or suggestions, it should be run through our legal analysts to at least make sure that it is legal and sufficient and then it can go across for you. Again, with every amendment as for someone that is going to be voting on this at the full Council, I would expect some kind of recommendation from your department – we concur, we do not concur. Again, anything that from the day that this was introduced, any language in the plan needs to be amended if it is going to be changed. I want to make sure that we understand. If it is significant or substantial, that is fine, we will create an amendment. If we do not need it, if it is a different way of saying the same thing we can stay away from them, but I just want to make sure that we understand here, our staff, that when it goes across to Planning make sure it is in a form of an amendment that has been reviewed by our staff and then you folks can concur or not.

Committee Chair Chock: My hope is that it will delineate the amendments that are just going to have to be addressed for the Council specifically and just pose it to the Council already so that we can vote it up or down. Councilmember Kagawa.

Councilmember Kagawa: I was going to basically state similar to what Council Chair Rapozo stated. I want you folks to have a chance prior to the next meeting, to have a chance to review the amendments by the Committee and thumbs up or down and why. If you do not have an opinion, I am not incline to support it. I believe that this is the people's plan and I do not believe this is the Council's plan. I see the same thing but through a different lens with some of the members here. I am incline as to leave as much as is unless it is an improvement to the plan, otherwise I am more incline to agree with the people's plan.

Mr. Dahilig: Moving forward some of these bullet points or numbers...we see it steering into a broad policy discussion in which as a lawyer and a planner, I mean I love discussing policy, I do not want to say that it is titillating to actually discussing policy but at the same time when we are actually getting to the root to an amendment, we probably need clarification on this to actually mold it into something that we can get a decision on. I think that is the difficulty here. On some of these things, we know where the question is going but we actually do not know what the outcome is and if we can even mold it into an amendment. I think we will

have the dialogue with the Councilmember and at least get to a point where we can get into a decision.

Councilmember Kagawa: Mike, if I can follow-up, like Councilmember Yukimura's question number 19 was a great catch by her. Which Puhi Park are you speaking about? I taught at Chiefess for a while, and we used to call that park Puhi Park. We called that park fronting the highway Puhi Park. We got basically three (3) Puhi Parks and for you to refer to that Grove Farm...you could call it Grove Farm Puhi Park, for the reader who is just reading it, it would be clear that that amendment is a wonderful amendment or Puhi Park fronting highway...that kind of amendment right there is slam dunk. When we getting into some of the other amendments, which could put the County Council's opinion or feeling and change the direction from what the community came up with, then I have problems with it. Thank you.

Councilmember Hooser: Some of the amendments, the one I am discussing, it would apply to both plans. My intent is to vet that propose amendment with the Planning staff and then possibly discuss that on the 15<sup>th</sup>, if that is okay. I will not be here on the 29<sup>th</sup> but I could get clear on my particular one that I am working on maybe on the 15<sup>th</sup> and then you folks can deal with whatever you want to deal with. Someone else could possibly introduce on my behalf, in my absence.

Committee Chair Chock: If we could just know a head of time if the amendment that you are proposing is one that you are looking at both plans ahead of time that would be great.

Mr. Dahilig: We already got a read on it so we will try to schedule a meeting sooner than later.

Councilmember Hooser: Right, and then have that discussion between now and then but also on the 15<sup>th</sup> so this body is aware of it. Okay, thank you.

Councilmember Kagawa: I think we are already out one member of the Committee, I think deferring until Councilmember Hooser can be here, like instead of the 29<sup>th</sup>, we can go two (2) weeks from then. If that is an option. We are already down to four (4) members, I think three (3) member Committee voting would just really...at least we will have a four (4) member voting. 2:2 looks better than 2:1. What I would suggest is that we go two (2) weeks after that target date or a month after, whichever works better for the Council schedule. I know we got budget and everything. As I said, I would rather have him here then not here on that vote.

Committee Chair Chock: I appreciate the consideration. The question that we talked about earlier was, "What is the rush?" I do not want to lose anything, that is certainly not my intention, but I also want us to make progress and a lot of what we go through can go in circles and that is not what my intention is. I want to leave from questions to specific amendments – that is what I want. I want to be clear about that. Let us even delineate the type of amendments, if it is a no-brainer or something that we have to discuss more on a policy level. There is somewhat of an interest in moving this forward for the specific purpose of addressing the general plan update. I am not in a rush, so I want to honor what you folks want to do, but I also know that we are not going to always be here. If it is the body's interest to move forward and consider two (2) weeks, now, keep in mind, we got two (2) consecutive plans so that might make it a month because we are trying not to have the two (2)

plans on the same day. It already moves it out a month, or more, as we move forward. Please, go ahead, Councilmember Hooser.

Councilmember Hooser: I know we have Special Council Meetings sometimes, I do not know if we can do a Special Committee Meeting on a Council day, just a thought.

Committee Chair Chock: Sure, let us do that after budget hearing. I am open to that as well but I think we have to think about that all the way through in terms of staffing and so forth. Before we close out this session, do you have anything else you wanted to add in terms of timing, Mike?

Mr. Dahilig: We want to respect the Council's authority and input on this but we did launch the general plan process, so I think being mindful of that process starting to move...if the plans could be at some point given to the members of the CAC and the community for some clarity on what the regional directions in these areas, I think that will be helpful. We just started the process, so it is not like we are saying that we need it now, but I think just being mindful that we have community members that are wanting to look at the whole plan from a broader standpoint. We do want to get them the freshest information as soon as possible.

Committee Chair Chock: Do you have anything to add?

Councilmember Kualii'i: I would just say that a quorum is three (3) and we are entitled to make decisions that way. We do have a recusal so the maximum we will have is four (4). I am not uncomfortable with us moving forward, doing our work, and not deferring just for the sake of a fourth member.

Committee Chair Chock: Council Vice Chair, I was wondering if we could look towards Planning to get to the less substantial amendments at the next meeting when Councilmember Hooser will not be here and get those out of the way since there are potential twenty-nine (29), we can get through that quickly, and we would still...would that be sufficient?

Councilmember Kagawa: Especially if we have a unanimous 3:0 on those less substantial ones, but certainly the ones that are more contentious where we have already seen some disagreement in direction, but I am okay with your plan, Mr. Chair.

Committee Chair Chock: That being said, any other discussion?

Councilmember Rapozo: I am not sure who makes this call but substantial changes to the bill would trigger additional public hearings, so I think that is something that we have to be aware of as well. As we draft these amendments making sure that we do not meet that threshold where we...I mean really if you think about it there are people that in the Lihu'e area that participated in a plan that could wake up one morning and realize that it is entirely different. I think as we move forward, if it is going to be substantive or significant change, I am not sure what the legal term was – substantial, I think is the legal term for public hearings that we would need to have that. Again, Ross said it best; it is the people's plan. That is the first thing, making sure we stay well below the threshold of substantial changes otherwise, we must have the public hearing, which is not really a problem, it really is not. It is just the matter of scheduling it. The other thing, which is coming from

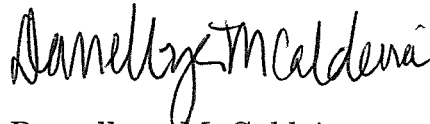
staff, I am still troubled with the decision that Mr. Kaneshiro cannot participate in any part of the plan. I do not know what our recourse is, I do not know who we write a letter to, I do not know if we send it to the County Attorney that in any matter or bill, there are certain...even in the budget, you recuse yourself from certain components. You conflict out on certain components of the budget but you vote on the budget. I see Mr. Taylor shaking his head but that is what we do. The Charter requires us to vote on every matter unless there is a direct conflict. On these plans, again staff, this is for us to get some clear direction, how do we provide for that? Not everything in this plan pertains to Grove Farm. There are many components of this plan that has absolutely nothing to do with Grove Farm and it is going to cause a problem, I can see, when you end up with only four (4) members on the Committee. You end up on a 2:2 vote; you can never get it passed. That is the reason we have five (5) members on the Committee. I can understand on the components on this plan that particularly relate to Grove Farm, or to the hotel I work at, or to the YWCA, or whatever, in that sense we take ourselves out of the voting. At the end of the day that we vote like we do on the budget, all members should be able to vote. Staff, I do not know if we can pursue that in any way, but I would like to pursue that because I believe it is that important. Thank you.

Committee Chair Chock: I will entertain a motion to defer.

Upon motion duly made by Councilmember Kagawa, seconded by Councilmember Kualii, and carried by a 4:0:0:1 vote (Councilmember Kaneshiro was noted as recused), Bill No. 2571, Draft 1, was deferred to the April 29, 2015 Committee Meeting.

There being no further business, the meeting was adjourned at 12:25 p.m.

Respectfully submitted,



Darrellyne M. Caldeira  
Council Services Assistant II

APPROVED at the Committee Meeting held on April 29, 2015:



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MASON K. CHOCK  
Chair, Planning Committee

Attachment

(April 1, 2015)

FLOOR AMENDMENT

Relating to Amendments to the Līhu'e Community Plan (2014) Booklet as referenced in Bill No. 2571, Draft 1, Establishing Procedures, Development Plans, and Future Growth Areas for the Līhu'e Planning District

Introduced by: GARY L. HOOSER (By Request)

1. Amend Section 4.1.4 Industrial Uses (page 81, of the Līhu'e Community Plan (2014) booklet), by adding a new paragraph following the third paragraph:

"While there may be adequate industrially-zoned lands in Līhu'e planned for in the next 20 years, feedback during the plan process has revealed that residents island-wide feel that both light and general industrial spaces are inaccessible or unaffordable for purchase or lease by local entrepreneurs. Discussion regarding incentivizing and/or requiring access and affordability of industrial lands should be pursued during the general plan process, since this issue is not unique to Līhu'e."

2. Amend Table 3-2 Parks Types and Occurrence in Līhu'e District (page 72, of the Līhu'e Community Plan (2014) booklet), by amending the acreage relating to District Parks in the far right column from 2.7 acres to 3.28 acres as follows:

<b>"District Parks</b>	District Parks are oriented to the needs of several neighborhoods or large sections of the community. A district park is planned primarily to provide active and structured recreation opportunities that are not feasible or desirable at the neighborhood level. These parks usually have sports fields or similar facilities as a central focus, although passive activities for individuals and families may be accommodated. District parks require more support facilities, such as off –street parking and comfort stations.	1	<u>[2.7]</u> <u>3.28"</u>
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3. Amend Table 6-12 Recommended PARKS AND RECREATION CIP (page 123 of the Līhu'e Community Plan (2014) booklet), as follows:

Amend the table as follows:

"PKS-1	A new comfort station and parking scheme for the soccer complex at Lydgate Park.		Parks and Recreational Facilities	<u>County CIP: FY2014 Parks MP"</u>
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4. Amend Section 2.3 POLICY OBJECTIVES FOR THE DISTRICT (page 34 of the Līhu'e Community Plan (2014) booklet), by renumbering the existing number 13 to number 14, and adding a new number 13 and as follows:

*“[13. Apply ahupua‘a and traditional Hawaiian land use concepts to current needs. The ahupua‘a concept defines a natural gradient of use types and intensities. The LCP looks to these traditional land divisions in understanding land use patterns and place-making elements in the Līhu‘e District.]*

*13. Seek out partnership and funding opportunities for the undergrounding of utilities, in particular in the Līhu‘e Town Core along Rice Street.*

*14. Apply ahupua‘a and traditional Hawaiian land use concepts to current needs. The ahupua‘a concept defines a natural gradient of use types and intensities. The LCP looks to these traditional land divisions in understanding land use patterns and place-making elements in the Līhu‘e District.”*

5. Amend Section 3.13.3 Electricity (page 70 of the Līhu'e Community Plan (2014) booklet), by adding a new paragraph following the second paragraph as follows:

*“The possibility of undergrounding utilities has been a discussion on Kaua‘i for many years. In regard to the Līhu‘e District, there are no immediate plans to move electric utility lines underground due to the extremely high cost of installing lines underground on Kaua‘i (currently five-to-fifteen times more than overhead systems, depending on the terrain). However, the undergrounding of utilities has been performed on a limited, case by case basis, where unique circumstances warrant it. KIUC, as a community owned cooperative, is open to discussions on the undergrounding of lines in key corridors in partnership with organizations that can assist with coordination and funding.”*

6. If any provision that is amended is also found elsewhere, such language is hereby amended to provide consistency.
7. If more than one amendment to a same section is adopted on this date, all such amendments shall take effect to the extent there is no conflict. If there is a conflict, the latest amendment shall be controlling.

(Material to be deleted is bracketed. New material to be added is underscored.)  
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